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Paul Palmer, *Editor*

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THE OPEN FORUM

[Letters from readers, on any subject, will be welcomed to these pages]

UPTON SINCLAIR *vs.* H. L. MENCKEN

SIR: I enclose herewith copy of a letter to Mr. Mencken. I am hoping Mr. Mencken will see fit to reply to the letter, and that I may have your help in the publication of his reply.

UPTON SINCLAIR

Pasadena

MR. SINCLAIR'S LETTER

My dear Mencken:

I have just read your article in *THE AMERICAN MERCURY* for May, in which you hail me as a "jitney Messiah". I take that to mean that I am not yet dead, and of course I am glad of it. But the rest of the paragraph which you devote to me is not so harmless. You say:

You may be sure that if he is ever thrust into the eminence he dreams of beneath his California upas tree, and finds himself with the power of a Hopkins or a Genghis Khan in his hands, he will fall upon the current abomination with a kind of ferocity that will make that of Hitler and Mussolini look puerile. Indeed, I believe seriously that if he had his way he would make it a capital offense, or at least a crime carrying penal servitude, to doubt a single jot or tittle of the green truths of thought transference, vegetarianism, or spondylotherapy. When you get among apostles, you get among carnivora with sharp teeth.

I think that is rather atrocious of you, and I am writing to tell you that you ought to be ashamed of yourself. You can search the record of my entire life, including everything I have ever written, and you will not be able to find one sentence to justify it. I have made freedom of discussion the basis of all my preaching. I have stood on Jefferson's fine sentence which I frequently quote, that "truth has nothing to fear from error where reason is left free to combat it".

Thirteen years ago I helped to found the American Civil Liberties Union, Southern California Branch. We have many times rendered

assistance to persons with whose ideas we have no sympathy: for example, the Salvation Army, when its people were arrested for holding street-meetings in Los Angeles; Bob Shuler, a reactionary clergyman in politics, who was barred from the radio. Never have I in all my life given indication of a desire to suppress my opponents or an unwillingness to consider what they had to say, and you have no more reason to make the above charge against me than you would have to say that if I had been elected Governor of California I would have introduced the practice of cannibalism or lycanthropy.

In our EPIC campaign in California I undertook to point out how our problem of unemployment, permanent under the present system, can be solved by an orderly and constitutional method of procedure. At no time did I engage in any personalities or denounce my opponents. I answered their arguments and corrected their misstatements, and conducted an educational campaign from beginning to the end. There was no suggestion of violence, illegality, or confiscation anywhere in the EPIC plan or propaganda. I would take pleasure in submitting to you all the EPIC books and a complete bound file of the *EPIC News* from the first issue, and I will challenge you to find one line written by me which would justify your cruel insult. I could not make a full statement about everything in the paper, for in the rush of the campaign I often did not have time to read it. But if there was anything in the paper contradicting what I have said here, it was without my knowledge or consent.

I feel that you, as a civilized man, share the abhorrence which I feel for Hitler and Mussolini, and which I express on every possible occasion. When you classify me with them you exceed the limits of decent controversy.

Many times in the past you have given me reason to think that you desired to be considered as a friend. But I am not basing this letter upon any claims of friendship; I am basing it upon common fairness which you owe to my opponent.

(Continued on page vi)



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THE OPEN FORUM

(Continued from page iv)

I challenge you to justify your attack upon my character, and I expect and await your reply.

I hope you will not attempt to put me off with a joke or an evasion. It is up to you to prove your words from the record of my actions and my writings, or else retract your charges.

I am sending a copy of this letter to the editor of THE AMERICAN MERCURY, in order to see what sense of decency may manifest itself in him.

Sincerely,

UPTON SINCLAIR

Pasadena

MR. MENCKEN'S REPLY

Dear Sinclair:

I can see nothing unfair or insulting in that somewhat jocose but still quite reasonable speculation. When you proposed to become the savior and boss of California, and then of the United States, you invited the opinion of every citizen as to your qualifications, and with them, of your probable course of action in office. If my own views in that direction differ from your own, it may be only because I am a better psychologist than you are. It seems to me that you are a professional messiah like any other, and would perform precisely like the rest if you got the chance. Once in power, you would certainly not be too polite to the money-mad widows and orphans whose stocks and bonds now haunt your dreams.

I admit that you have done more or less hollering for free speech, but how much of it did you do during the war, when free speech was most in danger? My recollection is that you actually supported Wilson. If I am right, then you also gave aid and comfort to A. Mitchell Palmer. Well, so did every other Socialist in this great Republic—every one, that is, save a handful. The handful went to jail—for example, Rose Pastor Stokes and Gene Debs.

Your frank disapproval of my controversial technic induces me to say with equal frankness that I think your own is much worse. You have spent your life making reckless charges against all sorts of people—some of them, as when you alleged categorically that THE AMERICAN MERCURY was financed by unnamed "men of wealth", completely false—and yet you set up a horrible clatter every time you are put on the block yourself. It seems to me that a world-saver ought to be more philosophical, not to say more sportsmanlike.



THE OPEN FORUM

I am against the violation of civil rights by Hitler and Mussolini as much as you are, and well you know it. But I am also against the wholesale murders, confiscations, and other outrages that have gone on in Russia. I think it is fair to say that you pseudo-communists are far from consistent here. You protest, and with justice, every time Hitler jails an opponent; but you forget that Stalin and company have jailed and murdered a thousand times as many. It seems to me, and indeed the evidence is plain, that compared to the Moscow brigands and assassins, Hitler is hardly more than a common Ku Kluxer and Mussolini almost a philanthropist.

If you will denounce the orgy of sadistic fury that has gone on in Russia in terms at least as violent as those you have applied to your political opponents for years past, then I'll be glad to print your denunciation, and to hail you with joy as a convert to fair play. And if you will acknowledge publicly that your quack friend, Dr. Albert Abrams, was a fraud, and that your support of his spondylotherapy was idiotic, then I'll engage to cease mentioning it. But you can't ask me to stop discussing you freely, and speculating about your political and other hallucinations so long as you keep on trying to get on the public payroll, trafficking with (and being gulled by) such obvious demagogues as Roosevelt, making whoopee out of the pathetic hopes and illusions of poor and miserable people, and reviling everyone who shows better taste and better sense than you do.

In political controversy there is such a thing as give-and-take. If you want to speak your mind freely, you must let your opponents speak their minds freely, even when what they have to say collides with your vanity and violates your peculiar notions of the true, the good, and the beautiful, whether in politics, theology, or pathology. It seems to me that you fail here. You are far, far better on the give than on the take. No man in American history has denounced more different people than you have, or in more violent terms, and yet no man that I can recall complains more bitterly when he happens to be hit. Why not stop your caterwauling for a while, and try to play the game according to the rules?

Yours,
H. L. MENCKEN

Baltimore



(Continued in back advertising section, p. x)

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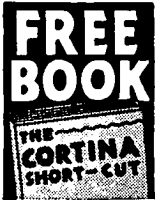
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THE TEN-BILLION-DOLLAR LOBBY

BY DUNCAN AIKMAN

A NEW gadget of the super-power age is operating in Washington. It has nothing to do with the military defenses of the priceless patriotic relics in the Archives Building, and nothing to do with the dynamos which air-condition life to a sweet physical serenity for 105,000 comfortably-seated bureaucrats. It is hooked up only in a microscopic and sub-fractional sense with the drive wheels of Professor Tugwell's intellect and with the magnetic field of Mr. Roosevelt's charm. All these pungent, and more or less publicized forces, are to it as molecular motion to star orbits. The old-fashioned steam rollers of periodic political outcry are as outmoded by it as an anemic dinosaur of the last phase of the saurians would be by a 1936 army tank roaring through towns at seventy-five miles an hour and spitting explosive bullets at unarmed civilians. Nothing has been devised — or, indeed, provisioned — in the Bureau of Standards that even begins to measure its powers of seduction and compulsion, of persuasion and punishment. For the new gadget is the New Deal Lobby, and over the heads of 531 senators and congressmen, congen-

itally hag-ridden with re-election fears, it wields the ineffable horsepower of ten billion dollars.

Washington, which rightly considers itself something of a connoisseur of lobbies, is just now beginning to rub its eyes and take in the mysteries of civilization's supreme political pressure miracle. Its mood of astonishment is not unlike that of some Rip Van Winkle of the hollow-tree canoe age awakening to find himself bowling along 5000 feet above the mid-Pacific in a *China Clipper*. Within less than three years, human capacity to push a nation's legislative statesmen around has been raised, metaphorically speaking, from the horsepower of a gnat's bite to that of a forty-ton derrick. It is questionable if the rest of the country is as yet even antennally conscious of the miracle Lobby's existence. When Mr. Roosevelt crowds through another "must" project of cloudy verbiage and legislatively unconventional purport, the country merely attributes to him, as a politician, a mildly super-Coolidgean smartness. What it fails to grasp is the kind of Emperor of Pork a Harding or a Chester A. Arthur might have been — or

a Zioncheck could become tomorrow — if he only had Mr. Roosevelt's \$10,000,000,000.

The \$10,000,000,000 is, in round terms, the sum which Congress has appropriated for the federal government's various emergency and patent economic cure activities. It is the grand total, as nearly as the half-maddened federal accountants can figure it, of the funds which the Brain Trust and our current Grand Dukes of practical politics have been empowered to spend on public works and boondoggling, on bounties and bonuses, on home relief and agriculture, on animal and slum-dwellers' husbandry, and on all the complicated structure of job-creating and dole-giving devices which are ballyhooed as specifics for making the American business bloodstream sing again. But more accurately, perhaps, it should be described as a fund which Congress has allotted the Executive for the purpose of extinguishing its own virility and forever controlling the legislative destinies of the Republic.

For the \$10,000,000,000 is being spent, almost entirely by executive caprice and direction, precisely on the things which supply vitamins A, B, C, D, and E to a normal congressman's political potency. Congressman Blumpus of the Third Pawpaw District knows, for instance, that if the voters of Lost River County fail to get their cherished revetment project, if CCC Camp No. 6954 is moved over the district line into Congressman Wampus' bailiwick, if the relief bureaucrats bear down hard on job eligibility rules in New Kamchatka's "darktown", his re-election race is lost even before his primary starts. Senator Blankwind of the sovereign State of Kanbraska knows that similar calamities will fall upon him if \$20,000,000 goes into windmill experimentation in the next commonwealth while the statistical indexes suggest that his own luckless constituents are getting

less than the national average for their conspiracies in restraint of old-fashioned hog procreation.

Knowing that the \$10,000,000,000 can be, and is, spent on — or withheld from — these projects so intimately associated with the roots of his political success or failure, the average member of the national legislature looks upon it as a gigantic campaign fund; receives the motley swarm of professional politicians, refined Brain Trusters, and administrative potentates who speak in the name of the "big money", as his authentic political bosses. Like the Lord, they can give, and on a scale of definitely Sinaitic magnificence; and like the Lord, they can take away and leave a statesman with a dozen years' record of reasonably respectable independence naked to his enemies in the primaries. So when one of the bright young men of the bureaus appears in a congressional committee executive session to expert torrentially on the technical points of the New Vision, or lisps in senatorial suites and congressional offices that this or that Administration bill is noble and ought to pass, it is not necessarily his Harvard accent, his collegiate smile, or his Frankfurter-tutored virtuositities of persuasion which win the battle for him. What fetches the congressman is the knowledge that behind the young man with the spectacles stands the power to make or break nine-tenths of the politicians in this tricky business. Here, so to speak, is a visitor who carries "ten million grand" in his brief case, and a meat ax under his coat.

In this phase of the matter lies the essence of the New Deal Lobby's functional efficiency, its irresistible compulsions. In comparison, all the long procession of lobbies which Washington has known, and admired, seem callow and amateur. Alexander Hamilton's notable transaction of

buying the vote of the First Congress for the District of Columbia capitol site by tipping off the Northern statesmen to the forthcoming specie redemption of the Revolutionary War currency, was hardly more, backed up against ten billion dollars, than a candy treat bought for the children with the proceeds of the petty cash box. The rain of appointments and spoils-system benefits which Andrew Jackson showered down upon congressmen whose votes could be swayed in his battle against the Bank of the United States, would look, to a beneficiary of a New Deal cocktail hour's largesse, like gross niggardliness. President Coolidge's appointment of two successive secretaries who, as ex-congressmen, presumably were skilled in "contact" work, may be distinctive as one of Silent Cal's rare gestures of affability, but scarcely as a high-pressure phenomenon. The afternoons during the Hoover regime when the whole Cabinet could be found hanging around the doorways of Congress, sales-talking for Administration measures, were interesting as verbal mobilizations, but scarcely on a ten-billion-dollar scale.

Even the traditional corruptive power of the Predatory Interest lobbies grows piffling by the new comparison. The utilities lobby spent a few millions overplaying its hand in its 1935 clash with the regulationists — only to learn, in taking on the New Deal as an antagonist, what it means to play poker against an opponent with a thousand times bigger bankroll. The railroads fairly inexpensively corrupted a few congressmen in the *Crédit Mobilier* scandals of Civil War times, but the seventy years of distrust which their lobby earned have cost more in regulatory laws than the 1936 value of the free land they chiselled. The Anti-Saloon League lobby, a model of compulsive energy for its times, died of a mere change in public moral prejudices.

None of these lobbies of historic celebrity was good for, at most, more than two or three fights on its major issue. None of them invented a fool-proof system.

The New Deal Administration Lobby, it appears today, has remedied these and all other conceivable deficiencies. The fears and the expectations of favors to come, born of a \$10,000,000,000 persuasion chest, ride triumphantly, and with increasing disciplinary violence, over the independent impulses, the prior convictions, the prerogative sensibilities, and the vanishing commonsense of the national legislature. Against luckless congressmen, jittering with terror, the Lobby moves in squads and hierarchies. The contact men of the bureaus, the departments, and the special emergency agencies — bluff, hearty, political fellows in the main — fling out a salesmanly advance guard for the idea selling. They see the congressmen, display the new White House wares in modish legislation, hint at the perils, sociological and political, of not buying, and thus whet consumer appetite. The Brain Trusters, functioning in committees and in decisive private conferences with the leaders, are the sign-on-the-dotted-line boys, the quick-pressure artists, the deal-closers, the first strong-arm squad. Above them rise the Lobby's super-powers and archangelic dignitaries — the Cabinet members and special agency principalities of high degree, with final decisions on the political fates and the spending of the ten billions in their hands, who crowd on the supreme pressure and push individualists around when serious sales resistance develops. Above them all lift the enigmatic menaces of the Vice President and the White House.

Capitol Hill has never seen anything like it since the day when the British burned the town. And far beyond Capitol Hill the Lobby's power reaches out to

blanket a continent. Through the propaganda of a \$1,000,000-a-year publicity squad, its pressure is exerted every day in the year in every American home that listens to a radio or sees a newspaper. Schoolrooms by scores of thousands, university and lecture platforms by hundreds, pour its flavors, tinctures, its subtle toxins and narcotics into the jelling substance of the Republic's future minds. Meanwhile its political agents are rewarding or punishing regional economic interests throughout the nation according to the strategies or the tantrums of the Washington hierarchy, raising public demonstrations in Oregon, and demanding (and getting) cheers and tribute from Arkansas tenant farmers as easily as they command dulcet eloquence from Brain Trusters on the payroll.

The Lobby is, in short, a more ubiquitous political force than has been let loose in a democratic Zion since the fall of the evil eye and witchcraft. Dr. Niccolò Machiavelli, the old master of political diabolisms, if he ever had bent his mind to the perversion of representative institutions, would have been proud to have invented it.

II

Yet the Lobby's beginnings were gay, sociable, and in their way almost hoydenishly irresponsible. There is one sense in which Congress brought the Lobby into existence, gave it the fiscal sinews of miracle-might and permanence, merely to win the charming approval of the Brain Trusters' bright young collegiate smiles. This was in the Roosevelt Administration's blithe 1933 springtime. The practical politicians of a thousand district fights and the young honor graduates from here and there, whom Professors Frankfurter and Tugwell sent down to teach Cabinet heads and bureau despots the New Economic Wis-

dom, arrived on the crest of a tremendous majority in a dither of happiness. They regarded each other, it is true, as somewhat queer creatures, but because they appreciated the farcical nature of a marriage between the intelligentsia and practical politics, they found their sociabilities and enforced teamwork playfully stimulating. The emergency gave them a warrant for renovating society—somewhat like the kindergarten teacher's releasing instruction: "Boys and girls, I'm going to let you take your blocks where you want to today, and build whatever you please." Or, to mature the metaphor slightly, it was a party where the guests all felt jovially condescending toward each other and plentifully liquored, and where taking the government apart and putting the pieces together in a hell of a hurry might be fully as entertaining—and potentially swanky—as an Elsa Maxwell treasure hunt.

In such an atmosphere of innocent revelry the strategic items of recovery and big-spending legislation, the NRA, the AAA, the RFC expansion, the emergency banking and securities regulation laws, were enacted. Yet in the constant flutter of cocktail, yachting, and private swimming pool parties between congressmen and Brain Trusters, something was growing up that was not quite innocent. From the very beginning, the young men with the polished spectacles and the young women with the carefully cultivated British inflections, as they elucidated the White House's latest legislative wishes over the Maryland-rye daiquiris, went a step above and beyond the call of duty. In their social mingling with what they privately described as "the Capitol Hill peasantry", they created a new and delicate atmosphere of snobbery. Congressmen and senators who played along with the New Deal were accepted as *ipso facto* members of the glittering

inner administrative circle where *bon mots* of the first order of political wisdom were passed and the big administrative favors granted. Congressmen who were stand-offish, or, in rarer cases, openly resistant to New Deal legislation, were held up to ridicule as antique and bucolic characters, the natural butts of up-to-date witticisms. They were labeled, in other words, by the very men from whom they had to seek favors, as deficient in normal political acumen, even — as Washington values go — in social smartness. Thus, in order to oppose the New Deal, or any of its several innovations openly, a member of Congress, especially if he happened to be a Democrat, had first to expose himself to being branded, by the bright young men who sat nearest the seats of power, as a hick.

The Lobby's first achievement was to turn the heat of a supercilious and ultra-fashionable — in a political sense — contempt upon these daring opponents and honest skeptics. As a congressman, you either voted for the New Deal measures with a whoop and talked the New Deal argot "about Tugwell Rex and the Revolution", as one reminiscent Brain Truster recently put it; and belonged. Or you were ridiculed at the parties and jabbed in the vitals of your patronage problems as an undesirable person who was socially an old fogey and morally a disloyalist to the New Generation. Dr. Wirt, a Gary, Indiana, educator, was taken for a ride of "revolutionary" smartcracks by the oats-feeling young ladies and gentlemen of the new superior circles one evening, and flung out accusations later that he had been forced to participate in black mass rituals in which pale-browed desperadoes were plotting the communization of the Republic. Dr. Wirt's chief deficiencies as an observer seem to have been that he did not understand the delicious merry-andrew

spirit of the Brain Trust argot, or that he was purposely being made the butt of one of its characteristic "shock your grand-aunt" parties. In any case, Dr. Wirt was not a congressman and the probabilities are that if he had been one he would not have squawked.

For the congressmen of the New Deal's honeymoon session took life substantially on the terms on which the Brain Trust offered it. They avoided being snickered at like barbs at a sorority german, and eventually they were patted on the back as "good old goofs" who jumped through the traces for their betters. But in order to secure this inestimable approbation, with the patronage that went with it, they had by this time handed over to the Brain Trust lobbyists half their power and rather more than half of the \$10,000,000,000.

When, three months after Mr. Roosevelt's advent, the special session was over, the new Administration had been given the authority and the funds to subsidize agriculture in every state in the Union, the billions to distribute public works pork in 435 congressional districts, the right and the means to control the distribution of relief to upwards of 10,000,000 unemployed voters, and, for as long as the NRA lasted, a disciplinary whip hand over the operations of every private business organization in the Republic. No congressman or senator could boast, after June, 1933, of a single constituent whose life could not be affected, obviously and directly, for better or for worse, by his own standing with the Administration. No congressman or senator could think twice of opposing this Administration on one of its crucial measures without taking into account what it might cost him in relief, or AAA or PWA allotments scaled down or withheld, or in rough treatment for the business interests of his bailiwick from the NRA satraps.

The bright young men and women now had something to lobby with besides airs and graces of esoteric economic vision and sophomoric pleasantries.

There was almost instantly an intimation that they meant business. Bronson Cutting was an obviously unsuitable subject for the Brain Trust Lobby's horse-laugh-and-scorn treatment. His political philosophy was, if anything, to the left of that of many of the young New Deal "revolutionaries". His intellect had won recognition as perhaps the ablest of the Senate's younger generation, and the value of his support as a Progressive Republican to the President's election campaign had been testified to by an offer of the Secretaryship of the Interior. The rustic mountain Tammany Hall, which his wealth and *simpatico* personality had built up among the Spanish-speaking voters of New Mexico, left him free from re-election fears and from ordinary types of Administration pressure. He voted for the major New Deal measures with enthusiasm if not always without skepticism, and indeed had a kind of occult standing with certain prophetically-inclined members of the regime as Our Man for 1940.

Yet when Senator Cutting voted against the Administration on the ostensibly minor issue of a bill to cut the retired pay of army and navy officers — one of the few economy measures of the Roosevelt enterprise — the word went out that the New Deal's most brilliant convert was to be made a disciplinary example. For more than a year after his lone hand rebellion, representatives and senators watched the edifying spectacle of New Mexico being held to an extreme minimum of federal allotments while the estimable Mr. Farley spoon-fed disgruntled New Mexican politicians of local anti-Cutting rings with the propaganda and the political nourishment

designed to replace Cutting in the Senate with an ex-grocery boy by the name of Dennis Chavez.

Senator Cutting died in an airplane crash in the spring of 1935 with the contest proceedings over his 1934 election struggle still unsettled. But meanwhile the lesson had been brought home to 531 congressmen and senators that when a spokesman for Administration legislation knocked at their doors, the time had come for compliance. The New Deal Lobby proved in the Cutting case that it had the power to reward and punish beyond all previous lobbies in history, and that the abler the dissidents, the deeper would cut the backstabs.

III

The Lobby's full-moon powers of tide control date, however, from the 1934 election when, instead of experiencing a recession in their 1932 fortunes, the Democratic members of the Seventy-Fourth Congress actually came back in more overwhelming majority than they had won with the President at the head of their ticket. On the day Congress convened in January, 1935, they were feeling definitely cocky; a little haughty, in fact, even toward a popular Executive with emergency powers. They were ripe, as unwieldy majorities usually are, for aimless bloc divisions on the floor; emotionally ready, in their new self-confidence, for gorgeous tableaux of insurgency. The New Deal Lobby, like Herr Hitler's blood purge, grew out of the President's necessity to hold over-mobilized storm troopers in line.

Its organization was partly planned and partly set up haphazard. No secret was made, for instance, of the fact that certain personable bureaucrats in the Administration were being detailed to act as contact

men for their departments with Congress. Some of the selections were, from the political point of view, astute and highly practical. Jeff Busby and Russell Ellzey, representing the FDIC and HOLC, respectively, were two former Mississippi congressmen who spoke the language of Capitol Hill with or without stage whippers. They could be depended on for three things: always to take a sympathetic private view of a congressman's Brain Trust trouble, always to catch a hint when favors were needed that could not be directly asked for, and always to be able to convey by the flicker of an eyelid, and therefore without giving rise to embarrassing misunderstandings, when a favor had to be withheld for disciplinary reasons. Cyril B. Upham of the Treasury Department and Joseph B. Keenan of the Department of Justice were not former congressmen, but long experience in dealing with practical politicians had established them as ex-officio members of the legislative sex. They knew all the tricks of approach, cajolery, and unuttered threat that Busby and Ellzey knew, and in addition spoke in the name of slightly more powerful potentates.

The SEC and certain of the economically more erudite agencies continued to use Brain Trusters for their contact work, but toward the other end of the scale, where big money held sway, there were symptoms of sterner pressure. James B. Alley of the RFC general counsel staff, when his agency required congressional "co-operation", seldom troubled to do more than growl his requests at a few leaders. But when the question of exempting bank stock in the RFC portfolios from taxation came up for a vote, RFC Administrator Jesse H. Jones sat in the House gallery, checking the count with all the dignified ferocity of an Anti-Saloon League potentate. No one could have improved on his

dramatization of a magnate compiling a blacklist, and the RFC got its way.

Under the new dispensation, the Brain Trust's functions in the Lobby were considerably modified, but they were still far from negligible. The snobbery which had given them a precious social glamor in 1933 was recognized as an irritant to the now ramping politicians, and, except in a few minor bureaus, their promiscuous visits to congressmen in the interests of legislation were discouraged. Indeed, as a preliminary gesture of concord (and also because they got in the President's hair), a small but obstreperous cell of Brain Trusters under Undersecretary Tugwell's wing in the Department of Agriculture was cleaned out by an executive firing process just as the Seventy-Fourth Congress opened. But those who remained were charged with the crucial, if largely unprecedented, function of doing the Administration's lobbying with the congressional committees.

So it came about that when the great legislative projects which rounded the New Deal into its final shape in the spring and early summer of 1935—the Social Security Act, the Works Progress appropriation, banking control, the utilities regulation acts, and the Soak-the-Rich income tax uppance—were going through the congressional mill, Brain Trusters, both in the open and executive sessions, sat at the right hand of committee chairmen. Brain Trusters prompted questions to witnesses at hearings and badgered answers to objecting mossbacks. They explained in executive sessions what the Administration demanded; dictated when it would, or would not, accept amendments; and occasionally consented to enlighten slow-witted congressmen with due superciliousness on what Brain Trust legal verbiage meant. The executive lobbyists and mental ring-

masters, in other words, now had seats at the centers of legislative power. The bright young men were shortly, as even a Republican congressman could see, to share in the responsibility for allotting billions to the congressional electoral districts. Now they were adroitly spotted in the places where they could report on, or record in busy little private diaries, the most confidential expressions and the most circumstantial intimations of the sin of New Deal heresy.

Over this loosely affiliated but adequately synchronized corporation of practical and intellectual persuaders, the Administration put not so much a chief lobbyist as a front man. There is no question that the Hon. Charles West of Ohio, former Democratic senatorial candidate, recent Assistant Administrator of the Farm Credit Administration, and present Undersecretary of the Interior, was described in the official announcements of his appointment as Presidential contact man with Congress; or that he contacts Mr. West's constancy in keeping his lips glued to the ears of congressmen in more or less publicly conducted persuasive intimacies has, indeed, earned him on Capitol Hill the nickname of Whispering Charley.

Yet there is a subtle mystery about his functions, and some of Washington's more experienced analysts of strategy consider that the mystery is deliberate. Whispering Charley officially outranks the lesser departmental, Brain Trust, and special agency lobbyists, and is seldom absent from the public's visual horizon. Yet he apparently exercises no executive authority over his milling squadrons, and in all his whispering seldom expresses even a normal awareness of the presence of the ten billion dollars, or of the possibilities of human access to it. For all these reasons, it is sometimes suspected that Whispering Charley's part in the Lobby is equivalent to that of

the football player who is all dressed up and carefully postured to look as if he were carrying the ball, while it is actually being carried by nimbler players. Whatever the part, Mr. West appears to have played it to the satisfaction of his coaches. By Presidential fiat, within six months after he had assumed his duties, a law was passed creating the post of Undersecretary of Interior especially for him, so that now at dinner parties Whispering Charley occasionally finds it necessary to unglue his lips from the nearest congressional ear long enough to walk in just behind the Secretaries.

There is a circumstance — or at least a circumstantial index — about Whispering Charley's activities which requires fuller explanation. As an expression of his sympathetic temperament, a good deal of Charley's time is employed in condoling with congressmen on the grief they feel when something in their consciences makes it impossible for them to support an Administration "must" bill. When the last confidence has been elicited by Charley's tactful tenderness, the interview generally ends with the Undersecretary patting the embarrassed statesman on the back and murmuring: "Sure, I understand the spot you're in, old man. I understand it exactly and the first thing in the morning I'll go around and make the Skipper see it." Or, if it is not quite a matter for the Skipper's attentions: "Sure, Hopkins will realize how you feel about the essentials we're shooting at. Why, this little disagreement's so unimportant I can fix it up over the telephone."

To date, according to congressmen of all degrees of Administration subservience, Charley's fixing record would be considered subnormal in a new Senate page. Yet by a curious coincidence, most of the congressmen and the occasional senators who have poured out their sorrows on Charley's

coaxing shoulder have developed almost immediately afterward the worst kind of Roper, Hurja, Farley, Garner, or even White House trouble.

For just such reasons, congressmen with a leer in their eyes are beginning to develop the suspicion that Whispering Charley's real place in the New Deal's persuasion team is that of the super-Lobby's OGPU.

Above and beyond the Cheka, in any event, rise the Lobby's super-powers. Mr. Farley's "you're going to be with us on this, aren't you?" may sound jovially casual on a congressman's telephone, but statesmen who have answered "no" sometimes have learned what it means to have half a dozen departments which can do a legislator the most good in his district turn suddenly apathetic to his needs. Mr. Emil Hurja's joshing about voting irregularities over the wire from the Democratic National Committee's statistical office may sound like a brother Elk's badinage at a cocktail party, but is likely to be followed by painful consequences on the patronage side. Under the dim mausoleum-tinted light of his palatial suite in the Department of Commerce, the shadowy Mr. Roper's inquiries may sound silken as seduction itself, but Confederate members who make the wrong answers are likely to detect shortly afterward that dangerous spinning processes are going on in the tangled webs of Southern factional politics. Vice President Garner's schoolmasterly deliverances on the meaning of practical politics in the little room with the whisky glasses behind the Senate chamber may be followed by a sudden falling off in floor courtesies and a sudden inability to "get anywhere" in the federal loose-change agencies, for senators who fail to take an old maestro's knuckle-rapping to heart.

Only the Skipper's smile never changes. Even when his own rather frequent per-

sonal efforts at lobbying cajolery are rebuffed, it can be reported on the best authority that it never changes. One reason for the smile's fixity may be, as certain experienced victims of the Administration Lobby have surmised, that as soon as the time has come to stop smiling for reasons of cajolery, the time arrives to begin smiling because the punishment squad has been summoned. . . .

Thus in its first, second, third, and in the final super-human gradation, the Lobby rolls back and forth over the rebellious yearnings, the constitutional prerogatives, and the independent powers of decision of Congress, the flattening weight of ten billion dollars. Where the Anti-Saloon League lobby could threaten a congressman with a licking in an open fight on a single issue, this Lobby can punish him in a hundred covert ways in every precinct in his district. Where a plutocratic lobby can dandle favors before the eyes of a few picked apologists, this Lobby can buy literal majorities of Congress with gifts of direct political efficacy whose cost would bankrupt a syndicate of munitions barons. No congressman is ever free from the sight and sound of its solicitations, or forgetfully far from the whisper of its terrors.

IV

The Lobby's work is mainly done in an atmosphere of unexpressed subtleties: the overwhelming majority of its triumphs are noiseless. A congressman, after all, rarely broadcasts the news when he suddenly decides to vote for a new way of taxing widows or regulating grocery stores, after a couple of spokesmen for one of the luscious federal hand-out departments have dropped round to remind him that the chances for getting that "thousand grand" for Minnow River channel rectification are

just about "one in a million". A senator does not mourn in public over a "lost speech" attacking the constitutionality of the whiffletree production limitation bill, whose delivery was abandoned when he learned, by the carefully organized Administration grapevine, that Mr. Farley, on his next trip South, was scheduling a two-hour conference with the only primary rival who seriously scares him. Often, in fact, the statesmen are scarcely even conscious themselves of such abdications of their critical and resisting faculties.

For such reasons, the Lobby's full strength has rarely been tested. Yet there have been two occasions when the intervention of the super-powers was invoked and the big guns of seduction and compulsion went off, so to speak, directly under the nose of the American public.

The first was, in its way, a leftist insurrection. Sensing certain radical inferences in the results of the 1934 congressional elections and wishing to test the ability of the President to rule his excess majority in Congress, the Senate took the bit in its teeth in the celebrated \$4,880,000,000 Works Progress appropriation struggle in March, 1935, and passed the McCarran prevailing-wage amendment. Since the subsistence wage for future WPA workers had been specifically exalted as the heart of the Presidential "must" program, and since the usual contact men and Brain Trusters had been sent out by the Lobby to warn the senators of their duty, the revolt was a direct blow at White House prestige.

The prevailing-wage amendment was passed by a vote of 50 to 38. Therefore, by changing six votes and bringing in a friendly absentee or two, the Administration could overcome the defeat on a reconsideration ballot. The Lobby chose its victims with a touching regard for their personal political exigencies.

Senator O'Mahoney of Wyoming, formerly one of the assistant postmasters-general, was worked on by his old chief, Mr. Farley. Mr. O'Mahoney, a 1934 election product, was having trouble getting his Wyoming postmasterships straightened out and his patronage problems were still in a snarly state. He was pointedly reminded of this. Also, while the White House called to express genial solicitude about the bold plainsman's loyalty, Farley henchmen and a gossip or two of the PWA establishment brought him news that allotments for his cherished Casper-Alcovao reclamation project—a vast Wyoming development intimately tied in with his campaign pledges—were in danger. The O'Mahoney dutifully cast his lot with the angels.

The cases of Senators Wagner of New York and La Follette of Wisconsin—official darlings of labor and the leftist Progressive movement, respectively—required a different formula. For this purpose a volunteer assistant super-lobbyist was brought in from the outside—no less a personage than the Hon. John L. Lewis, president of the United Mine Workers of America and greater and better friend of the White House than William Green, American Federation of Labor chieftain. The reason for the Lewis diversion was to convince Wagner and La Follette that although the McCarran amendment had been drafted and indorsed by A. F. of L. leaders, labor was not unanimously for it, and that the friendlier and politically better-disciplined army of laborites, as represented by Mr. Lewis, was inclined to stand by the President. At several conferences, arranged with the interested co-operation of the Vice President, Mr. Lewis expatiated on the dangers to the labor cause of starting a war with the President, and the inner persuasions of Messrs. Wagner and La Follette did the rest. Mr. Wagner now had his

"out" for going to President Green with the confidential information that without united labor support, the prevailing-wage battle was ill-advised and hopeless. Mr. La Follette could now count on the moral support of labor's more "progressive" wing, in the person of Mr. Lewis and his satellites, in the crucial enterprise in which he was just then engaged of forming the Progressives, Farmer-Labor, and Socialist Parties in Wisconsin into a united front behind the La Follette family leadership.

Senator Van Nuys of Indiana was easily reached through a few telephone calls from the highest places and a few lectures — apparently in the Vice-Presidential retiring room — on the fatuousness of failing to behave like a practical politician. Senators Austin and Gibson of Vermont took, it was publicly intimated, an almost exhibitionist joy in the processes of seduction. As Old Guard Republican statesmen, they had voted for the prevailing-wage amendment with a desire to embarrass the Administration and to prove, for a dramatic instant, that the Old Guard's heart still beat for the wage-earner. It continued to thump in the humanitarian cadence until the Vermont sages, again with considerable evidences of intervention from their good friend, the Vice President, were offered for a negative vote on the McCarran atrocity an allotment for Green Mountain flood-control projects — a porky tidbit fairly hard, under normal circumstances, for Black Republicans to land. In the covert revelations which Messrs. Austin and Gibson eventually permitted to be made of their reasons for switching, it was hard to tell whether they were boasting most of their success in a horse-trade, or of the evidence they had just provided that their adversary, as a labor partisan, was the kind of social engineer who would trade with the enemy to beat down wages.

Further defections to the "hostiles" during the reconsideration proceedings were prevented by Mr. Farley's more or less constant presence in the Senate's famous Marble Room — where the candlepower of a smile from the Supreme Official Lobbyist may mean the difference between unopposed re-election and frantic primary opposition — and the surly glares of the Vice President at potential dissenters. The absentees flocked in dutifully for the final crisis and the repeal of the McCarran amendment went over with finished New Deal éclat. Today, the only remaining memento of the Administration's Lobby's most bitter strength test is the disciplinary penance of Senator McCarran. For when he refused to withdraw his amendment under Vice-Presidential and even superior pressure, the Vice President's convivial fellowship was withdrawn from him, the Farley and Hurja suns ceased to shine on his patronage problems, while Nevada's share of the fiscal handouts has been routed consistently for more than a year through Mr. McCarran's hostile colleague, Key Pittman. The way of the New Deal transgressor is hard.

The second revolt from the Lobby's discipline was in a rightist direction and less subtly handled. In spite of loose gesturing, it eventuated in a triumph, but meanwhile it developed more or less the atmosphere of a brawl. When the House last July sought to re-establish a minimum of independence from the Executive by blasting the holding companies' death-sentence clause out of the Senate's utilities regulation bill, the Lobby's super-powers, it is true, performed with customary suavity. Mr. Farley's hints were promptly delivered to the persons most likely to be affected by the menace of polite warnings. The Vice President patiently expatiated to House leaders, and to senators suspected of a

yearning to turn in the House direction, on the monumental squeamishness involved in not being able to "take" a reform measure which he, as a practical political expert, could stomach. When this appeal failed, he is understood to have diagrammed, in what was substantially a blackboard demonstration, the points on which a statesman could be dangerously branded by his peers as a Utilities Puppet. The higher powers eventually wangled things their way, and the House reversed its revolt with something of the casual glee of penitents at an Arkansas Negro camp-meeting.

But meanwhile the Brain Trust division ran amuck. Among the quick-deal-closers who prided themselves on their ability to rub congressional noses at a moment's notice in whatever ragout of corporate reformatory legislation the Administration was serving up, was Thomas G. Corcoran of the RFC legal staff. Young and possessed of the most ascetically handsome face in the whole Brain Trust portrait gallery, Mr. Corcoran was something of a social pet of the White House, because of his ballad-singing and harmonica-playing talents. Last summer, he had just been honored by being commissioned as a Presidential lobbyist without portfolio for the duration of the death-sentence struggle.

The man whom Mr. Corcoran thought he held most securely in the bag was Representative Ralph O. Brewster of Maine's New Dealishly prominent Passamaquoddy District. Mr. Brewster was a Progressive Republican, but also a professional power-trust-buster with a record extending almost a decade back to his term in the Maine governorship. His word was pledged, he was under considerable obligations to the President for his gift of \$36,000,000 to the Passamaquoddy tide-harnessing experiment, and Mr. Corcoran's personal in-

fluence recently had landed him a job straightening out legal titles among the Passamaquoddy islands which, though unpaid, immensely extended the grip of his political tentacles on the Republic's furthest Down-East district.

Yet on the day when the vote was to be taken, Corcoran scouts bore the incredible bulletin to the young New Deal Lobby tactician that Mr. Brewster was weakening. He was at once summoned to a conference and agreed to meet Mr. Corcoran and another Maine intellectual, Dr. Ernest H. Gruening, chief of the Division of Territories and Island Possessions and a Portland publisher, in Statuary Hall in the rotunda of the National Capitol. There, in the shadow of the hallowed effigies of Frances E. Willard and Junípero Serra—a little late because the neurosis of the situation had landed him in a minor automobile crash—Mr. Brewster explained that on a week-end trip to Maine he had found the power trust boys too much for him. Therefore he had determined, for strictly political reasons, to go over to the enemy. He was willing to retreat to the privacy of his hotel bedroom and abstain from voting, if his friends thought this the more honorable course, or to brave it all and go out on the House floor to be counted with the shameless utilities lobby victims.

Something snapped in the Brain Trust persuader's taut nerves at this moment, and Mr. Corcoran said things which Mr. Brewster took to be a threat that the whole Passamaquoddy gift-horse would be thrown to the glue factory if he did not return to the green pastures, but which Mr. Corcoran afterward explained was merely intended as an announcement that Mr. Brewster's connection with the legal phases of the Passamaquoddy development was thereby terminated.

There was a vast newspaper to-do of charges and counter-charges, and at a hearing which the House Rules Committee called the following week to investigate the incident, Mr. Brewster called Mr. Corcoran a liar and Mr. Corcoran took 10,000 words of testimony to explain with somewhat more ascetic restraint that he considered Mr. Brewster another. It was the New Deal Lobby's sole public indiscretion, yet it was transformed almost at once into one of its amazing victories. The Rules Committee passed the investigating buck to the Senate which, under the leadership of Senator Black, proceeded to defer the inquiry into Administration Lobby practice indefinitely, and to turn all the heat on the utilities. It might be mentioned, in passing, that the Skipper lost little time in tossing the Passamaquoddy project out the window.

V

The Lobby, in a word, is fool-proof not only against occasional promptings of decency in the congressional conscience, but against its own scandalous miscarriages and the incompetence and occasional witlessness of the lobbyists. By and large, the gentlemen who shift the gears and levers of

the political miracle gadget are not skilled technicians. They are a group of undistinguished political hacks and bureaucratic intellectual nurselings, of notably less talent, on the average, than their competitors of the Predatory Interests. Their power, like that of the human robots in a modern automobile factory, lies not in their brains or their inclinations toward Machiavellian iniquities: it resides in the engine which their faintest finger-flick can send charging over the soft political bodies of the statesmen born, in these sad times, to be its victims.

By the terror which the engine's shadow casts over their lives and the menace which it presents to their fortunes, it has gone a longer way in three years than any other force in the history of the Republic toward bringing about the abdication of representative government. When the Skipper has gone the way of all politics and the Lobby has ceased to be his personal tool, the demonstration he has made of the uses to which \$10,000,000,000 can be put, will remain a fundamental part of the American political heritage.

For all these reasons the Lobby seems destined to go down in history as Mr. Roosevelt's chief contribution to the science of government.



LAGUARDIA. THE MANHATTAN MESSIAH

BY GEORGE RITCHIE

THAT unrepentant Sodom and Gomorrah of the Western World, New York City, has never yet invited a Reform mayor to play a return engagement at City Hall. In the 271 years of its existence as a chartered community, no chief executive elected on a Holier-Than-Thou platform has survived to enjoy a second four-year term and the juicy emoluments which appertain thereto. Normally Democratic by a landslide, the Metropolis has a habit of swiftly soothing its outraged civic virtue, whipped to momentary heat by rambunctious reformers, and resuming its incorrigible ways under the smooth-functioning, if reprehensible, tutelage of Tammany.

This amiable tradition is apparently reflected in the political situation today. For the town's sin-hardened residents have discovered, by their own devious and cynical methods, that the present Fusion Administration has piddled away more of the taxpayers' money on fantastic folderols than even the most artful Tammany Robin Hoods could ever secrete in their black tin boxes. Hence, with a registration in 1935 of over a million and a half Democrats and less than three hundred thousand Republicans, it would seem that Tammany might logically anticipate a fancy comeback at the polls in November, 1937. In the light of history, all signs indicate an overwhelming victory and the lean Tiger's triumphant return to City Hall. But standing in Tammany's path, sticking out his tongue

impudently at Manhattan's 271-year-old precedent, looms the short, rotund, demagogic figure of Fiorello H. LaGuardia, Fusion's *Fòrza del Destino*, whom Reform set in the Mayor's chair on January 1, 1934, his head in the clouds and his feet dangling four inches from the floor.

Oddly enough, Tammany has only itself to blame for this lugubrious state of affairs. A political accident throughout his long years on the public payroll, the Manhattan Messiah transplanted himself from a harum-scarum existence in Congress to a \$22,500 job in New York's soot-stained City Hall only because the local Democratic Party, under heavy shelling on half a dozen civic fronts, obligingly arranged to defeat itself. With Signor LaGuardia hurling shrill accusations of graft and corruptions as fast as Judge Samuel Seabury could hand them over, the Democrats, instead of ganging up on the enemy, split into two factions and handed the Little Flower, as he is affectionately called by his detractors, the job he had been mooning at throughout his whole political career. And it is one of the most sardonic anomalies of a New Deal era noted for countless contradictions, that the Mayor who swore there would be "no politics" during his term should now be regarded, by no less an authority than the Tammany High Command itself, as the town's master politician, its rabble-rouser-in-chief, and its shrewdest professional radical in a day when radicalism pays the highest political dividends.

Take five-feet-four of tireless energy as misdirected as that of a jack-in-the-box gone haywire, add a belligerency born of an inferiority complex, toss in a persecution mania and a fillip of Napoleonic grandeur, mix in a scrupulous personal honesty, flavor with a high-test brand of sophistry, stir in the bitters of class-consciousness, a jigger of demagogue, a pony of opportunism, fill the shaker to the brim with personal ambition, and presto! — you have the LaGuardia Stinger, a cocktail that has knocked Tammany off its Fenian pins and given the world's largest city a severe attack of political *delirium tremens*.

And the bottom of the glass is not yet in sight. For the Midget Messiah, shouting defiance in a saucy falsetto, shows no indication of calling a halt in his brawling fight against every influence, real or imaginary, which he believes lies athwart his path to Olympus. "I am," he modestly admits, "a Man of Destiny."

But among Manhattan's more responsible citizens, the Signor's comic-supplement antics have not camouflaged his disregard for what someone once termed the decencies of community life. No camouflage is possible, for to the plain knowledge of every resident, New York has just passed through some twenty-nine months of disorder, violence, and chaos, in addition to the traditional inefficiencies of a Reform administration. Strikes, riots, mass-picketing, and countless radical "demonstrations", all spurred on by countless sheafs of cheer and good-will to malcontents, ground out by the Mayor's mimeograph battery at City Hall, have resulted in thousands of injuries, widespread personal hardship, and vast property damage. Businessmen, property owners, and orderly citizens have been given little protection — His Honor has been too busy jumping to the bidding of the rabble in the streets.

And yet the Little Flower's path to political power has not been an easy, or a completely successful one. He burned his fingers when he attempted to annex "dictatorial powers" for balancing the city's budget, and had the Napoleonic epaulets knocked off his shoulders by the State Legislature. A proposed city income tax, providing a new bottomless cornucopia to pay for Manhattan's More Abundant Life, was still-born. He secured the passage of a municipal sales tax — despite the fact that he had vehemently opposed the same scheme in Congress previously — only to see it turn into a political boomerang. The city's snow-removal problem, which in three years has cost the taxpayers \$21,000,000 for ice-coated streets which have been almost impassable for weeks at a time, was bungled. His Reform Administration, apparently forgetting the hearty campaign promises of economy, has effected a \$27,000,000 increase in the annual budget expenditures over the Tammany Mayor O'Brien's 1933 figure, a corresponding increase in the tax rate, and the addition of 4000 jobholders to the city payrolls. Contributing further to Fiorello's repute are the grandiose boondoggling loans which he wangles with suspicious facility in Washington; the esoteric machinations of relief administration in Manhattan; and the mysterious City Hall Brain Trust which exists to advise a man to whom the word advice is as a red flag to a bull.

But if the Manhattan Messiah is weighted down with the implications of these grave affairs, the burden has not as yet been evidenced in the bowed shoulder and faltering step of resignation. Indeed, it appears that the *Forza del Destino*, according to his own lights, can do no wrong. When on public view in the battle-scarred board rooms of City Hall, Fiorello furiously pushes his glasses off his eyes and into his

rumpled black thatch and bellows defiance. When traversing the shadowy, haunted halls of his downtown castle, he strides along manfully, half-hidden under a huge black campaign hat, his hands locked behind him, a ferocious frown on his swarthy features. He dictates simultaneously to half a dozen frightened secretaries, as Napoleon I was wont to do at field headquarters. He has upon his desk an electric contrivance which classifies his callers by means of push-buttons: when he places a finger on the red, his janizaries outside know he is not to be disturbed; when white, a caller of whom he has tired will shortly be dismissed; when green, the secretaries understand that the Great Man is lonely, and ready for anyone who turns up, even an insurance salesman: but when all three buttons are pushed at once, it is the dread signal that His Honor is angry and has taken to pounding his desk. He retires occasionally to the subterranean crypt beneath City Hall which is his map room, military in *décor*; there the Little Corporal may, if he chooses, dream of new worlds to conquer. When on parade, his official orders are conveyed to subordinates with a blunt and often profane incision that bespeaks the indomitable Commander-in-Chief. He is personally honest to a point rarely, if ever, approximated in American politics. His noisy and wordy battles with all manner of opponents, real and imaginary, are unending. At the drop of anybody's hat he will whirl into reverberating assaults on organized crime, bankers, newspapers, Democrats, Republicans, the State Legislature, the Supreme Court, and even — when the Front Page is sufficiently receptive — on the lesser busybodies of the Great White Signor in Washington himself. The late Charles F. Murphy referred to Fiorello as a "Roman candle gone mad".

And what is Manhattan's reaction to her First Citizen? At the moment the more thoughtful burghers are commencing to peer behind these shifting curtains of legerdemain. One by one the newspapers are coming to cast a fishy eye upon the Messiah's plans for New-Utopia-on-the-Hudson. The Republicans and Fusionists, less welcome at the Mayor's office than the Democrats, have long since drummed His Honor out of the ranks. But the great masses of the citizenry, fed bounteously on tabloid fare, still sit in the gallery, munching peanuts and whooping with abandon. The Little Flower is a man after their own heart. He is forever putting on a show. They understand and admire him. They love him. With their votes they hope to return him to the driver's seat in 1937. And, unless Tammany manages to pull a very lively rabbit from a frayed silk hat, they may do just that.

II

Such is the caprice of destiny that this 1936 Champion of Reform, at the tender age of twelve, had to be restrained from running away from home to become a jockey. Fiorello Henry was born in 1882 on New York's Varick Street, the son of Achilles LaGuardia, recently arrived from Italy, and Irene Coen Luzzati. A year later, his father having been appointed bandmaster of the Eleventh Regiment, U. S. Army, the family went West, where the bambino began his life among the soldiers and cowboys at Dakota and Arizona army posts. It was in this setting that Fiorello became so adept at riding mustangs that he announced, one fine day, that he was leaving home to become a professional rider on the half-mile race tracks. But his mother protested; she wanted her son to become a clerk or a bookkeeper. His father

insisted that the Little Flower had a great future as a musician, tootling a cornet in an Army band. Though neither parent scored a complete victory, the career of Jockey LaGuardia was thwarted. (He still retains, however, a repressed ambition to become a trumpet player, and his friends swear that his *glissandi* is something to hear.)

Although in recent days contemptuous of what he now terms "payroll patriots", the fledgling LaGuardia lost little time in finding himself a place at the trough — and he has rarely been absent on pay-day since. His first job was, at the age of nineteen, in the consular service. While so occupied abroad during the first years of the century, he is reputed to have picked up a good command of German, French, Italian, and several Slavic dialects, as well as a deep distrust of royalty and the upper classes in general. Returning to New York in 1904, the perennial jobholder decided first to sharpen his tongue for the great political career he felt lay ahead. He entered New York Law School, and worked in his spare time as an interpreter at Ellis Island, where he seems to have assimilated a vast and juicy vocabulary of the denunciatory epithets of all nations.

Admitted to the New York bar in 1910, the future caliph of New Bagdad won his first election in 1916. He marched briskly into the House of Representatives and, save for a two-year lapse when he served as President of the New York Board of Aldermen, remained there until 1932. With admirable insouciance, the Little Flower ran indiscriminately under the aegis of the Republican, Democratic, Fusion, Progressive and Farmer-Labor, and Independent parties. Tossed out of the G.O.P. every year or so, he always bobbed up again with a new label but bearing the same heart of gold.

In the Halls of Congress, his home-made histrionics served him well. Once, while denouncing the high cost of living, he pulled from his capacious pockets a lamb chop, a beefsteak, and a pot-roast, announced their current cost, and called upon the assembled House — and of course the reporters — to view their microscopic size. He got a big hand as a Champion of the People. Again, he challenged a Jewish political opponent to a debate, and stole the meeting when he addressed the audience in perfect Yiddish, to the dismay of his adversary who could not speak the language. The Messiah never failed to keep his name in the newspapers.

In 1920, to the surprise of everyone, including shrewd old Sam Koenig, the Republican boss, Fiorello slipped into the Aldermanic presidency, succeeding Alfred E. Smith, who had decided to follow the path of destiny to Albany. LaGuardia immediately swung into action, using Page One as his base of operations. He wore a khaki army shirt to the Board of Estimate meetings as a protest against the high cost of laundry. The Citizens Union said he was "an active participant in the disgraceful brawls that featured the sessions of the Board", and Comptroller Craig coined a new word for his tactics — *blackguardia*. Unabashed, the Little Flower joined with a whoop in the imbroglio between the ineffable Mayor Hylan and the ebullient Craig. But it was strictly a private fight, with outsiders barred, and once, when Fiorello attempted to toss in a word, Craig leaned over to his arch-enemy, the Mayor, and whispered huskily:

"Hit the little wop over the head with the gavel!"

It was during these stormy two years at City Hall that the Signor's historic feud with the reporters had its beginning. As a congressman, LaGuardia had been an

obliging confederate of the Washington correspondents; whenever the Capitol reporters had a "dope" story lacking a sponsor, the Little Flower, it seemed, stood ready to sire it, especially if free publicity were involved. But in New York, Hylan and Craig were the News, and the City Hall writers left the baffled Aldermanic President to his own devices. Occasionally Fiorello would drop in at the press room to exchange pleasantries with the boys, but the boys didn't warm up. LaGuardia resented it; he has continued to resent it ever since. Thus it has come about that today, when the newspapers report that the Mayor is angered at the press, that he storms and raves, that he warns and threatens, it is not the rage of the moment; it is a vindictiveness born of brooding years, welling up uncontrolled. The gentlemen of the press invariably delight in these séances, however, for the full-flowering of His Honor's fiery temper produces choice specimens of the most impressive profanity ever uttered by a public official. Which is no mean feat.

His term as President of the Board of Aldermen ended, back to Congress went LaGuardia—and even the Republicans were glad to see him go. For while serving as Aldermanic chief, unpredictable Fiorello had formed a strange alliance with the equally unpredictable Hylan. They made an irritating combination. But when 1929 rolled around, and Tammany renominated the glib, polished James J. Walker for the mayoralty, LaGuardia captured the Republican nomination, chiefly because no one else was interested in taking a lambasting. His nomination, said the *Times*, "cast a chill over steady-going Republicans". The *Sun* remarked that the would-be Mayor was "always doing something that is usually wrong". During the campaign the suave Walker scotched the Little

Flower with wisecracks; and on Election Day the slaughter was awful to behold. Smarting under the sting of defeat, the Signor fled back to Washington and settled down to cooking spaghetti for his House associates and practicing on his cornet. But when next he returned to the Metropolis, a defeated congressman for the first time, it was to find the local scene strangely altered.

A sadder, chastened Walker, wisecracks dead on his lips, was "visiting" in France, fleeing from Judge Seabury's charges and Governor Roosevelt's anti-Tammany virus. Joseph V. McKee, the erudite Aldermanic President, had made such determined rustlings of reform as Acting Mayor that he was the talk of the town, as well as its white hope. Yet when a confused and muddled Tammany assembled in Madison Square Garden to fill Walker's unexpired year, John Patrick O'Brien, surrogate and party hack, was selected. Edward J. Flynn, boss of the Bronx and McKee's political mentor, had neither the inclination nor the fortitude to insist upon the naming of the Aldermanic leader. Of course, Jimmy Walker, rushing home from Europe on the *Rex*, might have stampeded the convention had he been on the spot. But the *Rex* ran afoul of engine trouble and Jimmy the Elegant was late just once too often.

It was O'Brien, then, who was serving a bewildered year in the Mayor's chair when Fiorello came back to town looking for a job. Meanwhile a yowling Fusion movement had sprung up and was gaining ground rapidly. Failing to recruit the pure McKee, the logical candidate, the amalgam of dissatisfied elements of all local parties cast about for a man in whom to center the crusade for the abolition of Tammany. One after another of the city's leading public figures declined to make the race. But

on the fringe of the battlefield, always ready to run for anything, lurked the Perennial Officeholder, edging forward slowly to the sound of political gunfire. At the right moment, with Judge Seabury winding the bugle of Reform in the advance guard, Fiorello's forces marched boldly forward and convinced the bickering factions that their *Duce* was the only man who could coalesce the nondescript battalions of Fusion into a fighting machine.

As the campaign got under way, O'Brien, the Tammany pachyderm, appeared a set-up for Fusion's Lancelot; but when McKee belatedly entered the race on a Recovery Party ticket, with the backing of Big Jim Farley, Fiorello swallowed hard. O'Brien, however, did not withdraw in favor of Farleyism, as was expected, and in the hurly-burly of the dirtiest political campaign New York has ever known, the chunky Signor, the city's greatest rough and tumble fighter with words, out-smirched McKee. Spurring Seabury's graft charges to the last degree of effectiveness, the Midget Mussolini rode home a winner, carrying the majority of the ticket on his stirrups.

III

In several ways that winter of 1934 was the coldest Tammany had known since 1917 — the last year of John Purroy Mitchel's occupancy of City Hall. Fifty-two inches of real snow fell to add to the general confusion, but Tammany heads dropped into the basket of the Little Executioner almost as fast as the snowflakes. Hundreds of jobholders were tossed out into the cold to join the unemployed. Sleuths uncovered charges against those who could not be removed without cause. A spasm of fear swept through the city offices, reaching

even to the ranks of the civil service employees. As a final threat, the staff of the Commissioner of Accounts, recruited chiefly from the ranks of the Socialist Party, busied itself in knotting the loose ends of scandal left over in the Seabury files.

Soon the Little Corporal, after consulting a large map of the United States in the solitude of his subterranean chart room, was ready to name his commissioners and assistants, destined in four years to handle more than five billion dollars of the taxpayers' money. From assorted whistle-stops in all corners of the land they stormed into the lush clover fields of the Metropolis. A few regular local Republicans and one or two Fusionists managed to squeeze up to the trough, but with the exception of Robert Moses, Commissioner of Parks, and a few others, they were all of a piece. Like the big Mussolini of Rome, the Mayor wanted no militant underlings; he insisted on subservience. Hence at this moment, His Honor holds in his own hands most of the portfolios of government; a one-man autocracy, with no ifs or buts, now rules New York.

The Signor hadn't been in office more than a few months when the taxicab strike, heralding the new era of violence, got under way. En route to City Hall one morning, the Mayor encountered a file of parading strikers. Ordering his chauffeur to halt, he discussed the situation with the strikers through the open window of his limousine, ending up with: "Come on down to City Hall, and tell me all about it".

It was the tip-off to the town; the overture to the première of the Fiorello Follies. . . .

From the moment the taxi strikers first scuffled their brogans uneasily on the thick red carpet in the Mayor's office, nothing was too good for the boys. As a matter of fact, the boys themselves were startled at

their cordial reception. And the effect of it went to their heads like a shot of Bowery rye. Dizzy dreams of power and glory replaced respect for legal formalities. In vain did General John F. O'Ryan, then Police Commissioner, plead with the Mayor to permit his men to restrain the rioting drivers who were destroying property valued at a quarter of a million dollars and endangering the lives of riders, pedestrians, and bystanders. But His Honor seemed to be more interested in enjoying the good graces of the hoodlums than in protecting lives and property. It was the first of many instances in which he was to show an utter disregard for law and order when its preservation conflicted with the demands of a well-organized, and hence deliverable, mass of voters. Said General O'Ryan, resigning after repeated disputes over police policy: "The known attitude of the Mayor encouraged the communists and other vicious elements of the city to exploit these occasions for their own ends."

Hardly had the woes of the cab drivers been laid to rest — with no lasting benefit to the drivers from the Signor's meddling — when a hotel workers' walk-out, with His Honor openly sympathetic to the strikers, was called with appropriate publicity. As a subtle hint to the employers, a flying squad of Health Department inspectors was sent out to scour the hotels, ostensibly in search of routine infractions, but actually waving the Big Stick. Peace came only after much tumult, disorder, and public inconvenience. Here again LaGuardia seemed to have no regard for the average citizen's welfare as long as he could make political capital out of championing the masses.

Next, Harlem staged a race riot after the communists had whooped up a Negro boy's theft of a jackknife to the magni-

tude of a major social crisis. Rioters paraded the streets, smashing plate-glass windows and looting shops, while hundreds of policemen stood by idly twirling their nightsticks at the order of the Messiah. Vast property damage resulted; and under the riot statutes, the city was liable to many legal suits for large sums. A committee of "liberals", appointed by the Mayor to perfume the affair, has been strangely secretive about its findings for a year or more. His Honor, perhaps with the huge Negro vote in mind, has taken no steps to prevent further disorders.

But it was in March of this year that the biggest and best of Fiorello's famous labor pageants was staged. This was the much-publicized elevator strike, during which thousands of workers were called out by the ukase of a labor dictator, and their welfare traded for union gains. Openly encouraged by LaGuardia, James J. Bambrick, the strike *generalissimo*, shouted that the workers would "fight it out in the streets", and his followers, parading and rioting, made good the threat. Bands of marauders toured Park Avenue, smashing doors and windows, halting traffic. There was slugging of emergency workers, forcible "enlistment" of lift operators who refused to join the union, brutal treatment of apartment house residents, a score of thefts perpetrated by irresponsible strikebreakers, and an untold number of unreported "accidents". Yet during the three-week period while the strike was in progress, the police remained quiescent. "We are ready for any emergency," said the Mayor's Police Commissioner, Lewis J. Valentine. But His Honor recognized no emergency. While he pounded his desk, warning the building operators that the demands of the union must be met, disorder swept the city.

In this case, as in all the others, it was

the innocent, law-abiding citizen who bore the brunt of the danger and discomfort. Apartment house tenants were forced to climb as many as forty floors to reach their homes, simply because their Mayor would not give police protection to non-union elevator operators. (Fiorello's idea of impartiality in the strike was to refuse to ride in any elevator not run by a striking picket.) Women, children, the old, and the sick were not excepted in the misery. Decent citizens were the chief sufferers in a struggle between workers and employees for which the citizens had no responsibility. Thus the Mayor gave New York a foretaste of what may be expected if a greater emergency ever rises in the community. It is clear that he does not intend to use the forces of law and order to protect property owners and taxpayers. It remains to be seen how long it will take the workers to realize that the Mayor's partnership is fatal to their cause as well.

But if the LaGuardia attitude towards labor troubles seems difficult of appraisal, his attitude towards New York's snow removal is incomprehensible. The Mayor's Roman ancestors might have regarded the blizzard which greeted his entry to office as an augury; but the White Hope of Reform merely attempted to wave it aside. Blizzards, however, are notably hard to wave. And so the Metropolis, buried beneath an unprecedented sheath of ice, looked to its municipal government for relief—and a program of scientific snow removal which would forbid a repetition of calamity in years to come. Yet the Department of Sanitation floundered aimlessly through the drifts. The home relief workers, long since converted to the gospel of the More Abundant Life, were not interested in shovelling. Nobody did anything. Nothing happened. Emphasizing economy, the Mayor ordered his Sanitation

Commissioner not to hire a single man outside the regular force unless there came a crisis. Obediently, the Commissioner watched the snow fall outside his office windows, hoping that each inch would be the last. But there was no let-up. And so, when additional men were finally hired and sent forth to snooze on their shovels, the situation was out of hand. The blizzard had moved in.

There was no release until the warmer weather of spring. The citizens of New York twisted and skidded about the streets, cursing with great vigor and recalling the Tammany days when hundreds of loyal Democrats, called to the district clubhouses at the first flurry of snow, fared forth to do battle before the drifts gathered. Some of the boys, of course, appeared on the payroll under three different names—but they shovelled snow. And traffic moved. And business went ahead. And sidewalks were cleared. Good old Tammany.

During the winter just past, 10,000 persons were injured in falls on New York's frozen tundra. The streets were almost impassable for weeks at a time. Millions cursed, slipped, slid, and caught themselves in time to escape crashing to the concrete or being run over by taxis. But while the storms raged and the thoroughfares became blocked with snow and uncollected garbage, the LaGuardia regime, folding its hands, waited for nature to do the work of removal. Once, the Little Flower made a rapid survey of the city's thoroughfares from his limousine, and professed to find them fit. The rest of the town couldn't find them at all. . . . So that the residents of Manhattan had the pleasure of climbing down twenty flights of apartment house stairs on account of the Mayor's elevator strike only to slip and fall on the Mayor's ice-covered streets. . . .

There have been, of course, other and

lesser fiascos under the reign of Fusion. His Honor decided early in his tenure that the \$9,000,000 white elephant of Hylan parentage, the Bronx Terminal Market, must be put on a paying basis. So he promptly saddled it with further debt in order to construct the adjoining Farmers' Market, an elephant of similar hue and of vast girth, including among its many novel features a twenty-four-hour cocktail bar for dilettante truck-drivers. It was at this market that Fiorello recently announced, from the tailboard of a truck and to the accompaniment of a fanfare of police trumpets (that trumpet *motif*, again) that artichokes were henceforth under ban in the city's markets. Racketeers, he cried, had cornered the business. All this was great publicity, and brought an immediate boom in artichokes — but charges against four alleged racketeers lately resulted in a mistrial verdict. "You've got to dramatize issues," LaGuardia told a friend. "You've got to call attention to the things you believe in." With trumpets. . . .

In the routine of daily business, Fiorello also exercises his indubitable talents. When he presides at meetings of the Board of Estimate, these traditionally staid assemblies become brawling affairs reminiscent of the Hylan-Craig days. Few items are broached that do not suggest to the Mayor a panegyric concerning his own accomplishments; few are the meetings that do not draw an impressive troop of reformers and visionaries, each ready to expound his favorite panacea — generally costly — for the ills of the city. When the word-fests are raging, the LaGuardia gavel appears to lose its force and effect. In the excitement and noise, the presiding officer himself becomes as garrulous as the dewiest-eyed representative of the League of Women Voters.

On the administrative side of the city's

business, the future is not as rosy as some would have it. It is true that when the Signor assumed office he scored an adroit coup by corralling all the articulate civic workers and appointing them members of his official family in lucrative jobs. But new and vituperative critics of the Administration are taking their places. They have joined the hunt for Fiorello's scalp, as has the State Legislature. Assemblyman Edward S. Moran, Jr., recently urged a legislative investigation of the LaGuardia regime, declaiming that "the Mayor by intemperate speech and conduct has fomented and inspired disputes between capital and labor, and has been partial and prejudiced in the extension of police protection and relief in such controversies". Republican legislators, formerly supporters of Fusion, have been alienated. Even Fiorello's friends have deserted in large numbers, no longer able to understand the man they helped elect. A confrere of long standing, State Supreme Court Justice Lockwood, angered by a condemnation from the Mayor, has referred to the Little Flower as a "man who wants what he wants exactly when he wants it, whether right or wrong, and when he does not get it, exhibits an ungovernable temper and lets loose an unbridled tongue, seeing red, stirring up trouble, throwing black mud around, bespattering the record or reputation and the family of friend or foe".

But the Mayor seems content to play a lone hand. Perhaps he has a feeling, a divine premonition, that the future of New York City rests upon his shifty shoulders alone.

IV

What, then, of 1937? Ordinarily, a man who has once occupied the drafty offices of New York's City Hall signs the death war-

rant of his political ambitions. De Witt Clinton, who after three terms as Mayor went on to the Governor's mansion at Albany, is the only exception. All the others have long since disappeared into the Valhalla of politics.

Fiorello, however, is impatient of precedent and tradition. "I am going to Washington," he told a friend when he was skirmishing for his first job as congressman. "I'm going to be Mayor of New York," he predicted later. "I am a Man of Destiny," he has recently observed.

Along just what road — and how far — that destiny will lead, is the question goading Tammany today. There is no peace in the Democratic organization; internal fights have shaken it to its foundations. The Hall's allies in the Bronx, Queens, and Staten Island owe direct allegiance to J. Aloysius Farley, the eminent Washington job-trader. In fact, they are the Hon. Mr. Farley's vassals first and friends of Tammany Hall only afterward. And to complicate things further, it now appears that Signor LaGuardia's destiny is entangled with the destiny of the learned Dr. Roosevelt, to whom he goes almost

weekly for treatment. Should anyone but Borah be the presidential nominee of the Republicans, it is certain that Fiorello will be on the firing line for Franklin D. In that event, his destiny might lead him to Washington when his term is out. But he cannot run for the United States Senate at present because Messrs. Wagner and Cope land are now enjoying extremely agreeable terms. (He scorns to run for another term in the lowly House, now that his dreams have touched the skies.) And yet a payroll post he must have. So, in the end, it is quite likely that New York will awake some morning to find a LaGuardia-for-Mayor boom well under way. Nor will it be surprising to find him the nominee of a full-blown Labor Party, now being quietly organized.

Against this vehement and virulent enemy, the Tammany chieftains have no weapon but the uncertain sword of precedent. "It's never happened before," they say. True, tradition sides with the Sachems: they may win in 1937. But if Tammany blunders, Signor LaGuardia will be quick to take advantage. He likes the feel of the driver's seat. He wants to stay there.



SOAK—THE—POOR

BY FRANK L. HOPKINS

MY WIFE and I have discovered who is paying for the New Deal. It came as something of a shock. Along with several million other plain folk who have had a vague idea of the sources from which the United States Government derives its revenues, we had heard a lot of talk about redistribution of wealth, excess profits taxes, big income taxes, gift and inheritance taxes, and had rather taken it for granted that these were the sources from which the Brain Trusters were manufacturing the chief part of their lavish income, and that it was the people of wealth on whom the main weight of the burden fell.

Our conviction that the New Deal had cost us personally very little was influenced to a considerable degree by the fact that last year, owing to an unusual set of circumstances which permitted certain unexpected deductions from our income, we got off very well with our income tax. We were vaguely conscious that perhaps there were one or two other federal levies that affected us slightly, and from time to time we expressed concern about the spectacular rise in the national budget; but, by and large, it looked as though we had no immediate cause for worry.

Then came into our hands a United States Government tax report, and with this before us we sat down one evening to find out what we really had paid by way of federal taxes alone. It was a surprise, not to mention a distressing shock, to

learn that in 1935 we had contributed to the support of the New Deal more than \$100 in taxes which, for the most part, we had known nothing about at the time of payment—this in addition to the income tax, and in addition to all the state, county, and municipal taxes that we pay. As to the latter, I will point out further on in this article how the average American wage-earner with an income of \$3300 a year pays approximately \$700 for the costs of government. But as to the outright federal taxes, my wife and I found that we had, in one way or another, contributed to more than forty different imposts out of sixty-seven varieties of taxes which our free-spending federal administrators had used to pave the approach to the More Abundant Life.

As a means of spending a pleasant evening, we recommend a similar investigation by other home-loving American families. All that is needed is the annual report of the Commissioner of Internal Revenue for the fiscal year 1935, and a pad and pencil. When one gets into the task of discovering how much he has paid in concealed federal taxes, he is likely to find it more entertaining than a crossword puzzle or a detective story. One runs up against as many complications and unexpected developments as are found in our movie thrillers. Before the evening is over one may get an education in economics equal to that absorbed by the newer college graduates.

It is necessary to do some estimating, a little guess work, and also to have a knowledge of the sources from which the Roosevelt Administration is collecting its revenues; but for those who think that the costs of the New Deal are a problem only for the wealthy, the results are certain to be worthwhile.

It may be explained that we were started — my wife and myself — on our family study through a commercial analysis which I had made of the aforementioned report of the Commissioner of Internal Revenue. This analysis had shown indisputably that in the fiscal year ending June 30, 1935, the federal government's revenue-takers had gathered in, exclusive of tariffs on imports, \$3,299,435,572.18; and that of this amount \$1,781,397,390.21, or almost exactly fifty-four per cent, came from imposts on commodities and electrical energy — from taxes imposed on the production, manufacture, or sale of articles which for the most part are in everyday use — many of them absolute necessities of life. The study had shown how the gifted devisers of our tax laws had displayed wizard-like ingenuity in finding ways to take money away from 127,000,000 American people without having the bulk of those people conscious of the fact. Of the sixty-seven different kinds of taxes for which Congress had made provision, some fifty-four were of a nature to add directly to the cost of living.

That billion and seven hundred million, taken in through hidden taxes and, therefore, in more or less painless fashion, amounted to approximately \$14 for every man, woman, and child in the United States in 1935. It amounted to \$56 for the family of four and, unlike the income tax, was not assessed in accordance with ability to pay, but rather in accordance with consumption needs. A millionaire

will eat only one roll for dinner; the laborer at the other end of the scale may eat half a loaf of bread. Such was the character of several of the new taxes that no matter how small the income, the larger the family, the larger was the toll taken by the government. The first thing my wife and I found was that there were at least thirteen federal taxes so all-embracing in their application that to escape them it would be necessary to drop far below any decent standard of living. Even the people on relief were unconsciously contributing a portion of their checks to the maintenance of the funds from which the Washington bureaucracy paid its bills. We could think of only one name for such a taxing program — Soak-the-Poor.

II

Let us, however, forget the family on relief and the average family of four which would have paid \$56 to the government if it had purchased its exact share of the country's commodity production, and return to my own family. We number three — the third member being my son who is away at school the greater part of the year and whose expenditures, for the most part, do not enter into these computations. The only reason that our federal cost-of-living taxes did not go far above the \$100 which we finally reached as an approximate figure was that, generally speaking, we are very modest in our requirements. We live simply. We seldom go either to the theater or the motion pictures. Our requirements for liquor are at almost a minimum. Most of the taxes that we paid, therefore, were not on luxuries, but on what seemed to us to be necessities.

Our largest single item of federal taxation was our automobile, which we consider a necessity. We traveled in it in 1935

something like 18,000 miles, mostly on necessary journeys. When we got into the item of federal taxation for this travel we found that Congress had devised a system which catches the automobile coming and going as well as while it is turning round. First, there is a tax on tires, then on the inner tubes, then the manufacturer's excise tax on the car itself and accessories. All these have to be paid before you can get a new car out of the salesroom; but to put it on the road you have to consider also the tax on lubricating oil and the tax on gasoline and, if you break down and go to the repair shop, there is a two per cent manufacturer's excise tax on the spare parts with which the repairman may fit your car. Now during the year, my wife and I purchased a new automobile which cost \$1025, on which I am informed that the manufacturer's price was \$865. With this figure as a basis, we were able to calculate with a reasonable degree of accuracy that we had paid the following purely federal taxes as part of our travel expenses (the state and city taxes were extra, of course):

Taxes — two new shoes for old car, 2¼ cents per pound.....	\$.90
Taxes — five shoes for new car (purchased June, 1935).....	2.60
Taxes — inner tubes, 4 cents per pound	.60
Manufacturer's tax — new car.....	25.95
Taxes — new parts, old car, two per cent	.40
Gasoline taxes — 1 cent per gallon	12.00
Lubricating oil — 4 cents per gallon	.48
	\$42.93

This total should be reduced by a small and not easily ascertainable amount representing certain allowances on tires and tubes. The figures, however, by no means include all the federal taxes that entered into the cost of running our car. Presum-

ably some of the fuel, before it reached us, was transported over some part of its journey by pipe line. There was a tax of four per cent on oil so transported. Quite a substantial figure was collected from this source — more than \$9,000,000! There was also a tax on the production of crude petroleum and its processing, out of which the government derived over a million and a half. To what extent these taxes enter into the cost of operating any particular automobile or of running any particular oil heating plant in someone's home, it is, of course, impossible to determine. But we do know that when the Secretary of the Treasury finally got together all the taxes — there were nine of them — which added to the expense of traveling by motor car, and of operating machinery requiring gas, fuel, or lubricating oil, he had a sum in excess of \$270,000,000.

It should be emphasized that the \$42.93, which we estimated we paid in outright federal taxes in order to provide ourselves with transportation, was entirely in addition to the state and city taxes which we paid out on the same account. The total here including registration fee was higher than the federal bill.

Continuing our study of the taxes which we had paid on necessities, we next turned to the subject of tobacco. Not a necessity? There may be a debate on that question, but most smokers, we believe, will support the affirmative. The government did right well by itself in its tax on tobacco manufactures. I purchase my cigarettes in New York City, two packages for a quarter. Of that amount twelve cents—six cents on every package—goes to support the New Deal. One cent is collected by New York City as a sales tax, leaving twelve cents, or six cents a package, to be divided between the manufacturer and the distributor. Cigarette consumption in the Hop-

kins family amounts to about one package a day — so in our computation we set down \$21.90. Then, since I probably purchased fifty cigars in the course of the year, taxed at one-half cent apiece, and a couple of pounds of tobacco, taxed at eighteen cents a pound, we added sixty-one cents more.

Then we got around to the matter of bread. The New Dealers took in \$123,860,000 in the tax on wheat, amounting to thirty cents per bushel of sixty pounds. How much of that sifted down to us? I made some inquiries of the flour people and I was told that the actual effect of this tax had been to add \$1.38 to the cost of a barrel of flour, 196 pounds. But the bakers in some instances tried to absorb this tax, and not a few of those who made the attempt are said to have gone into the red in consequence. I was told that, anticipating a court decision ruling this tax unconstitutional, there had been a general disposition to hold back increases in bread prices and that, had the imposts been sustained, it is altogether likely that sharp advances would shortly have taken place. But in some instances bakers were unable to absorb the load and so passed on the tax, either in the form of a higher price or a smaller loaf. We tried to be fair to the government in the matter. We know that we used about fifty pounds of flour during the year and about three pounds of bread or rolls per week. We set down our share of the wheat tax at the very modest figure of \$1. The family with five or six hungry children to be satisfied three times a day can count its share at several times this figure.

Then there was the tax on hogs. The New Dealers derived \$184,601,000 from this effort to boost the price of pork products. It was really shocking what this levy and the accompanying limitation of production did to the price of bacon. Bacon

had been selling in chain stores for less than thirty-five cents a pound. My own family had been abstaining from it for a time. Then shortly after the tax went into effect we got a bacon urge while at our summer place, and walked into a butcher store. Forty-nine cents a pound—that was what the butcher said! As a matter of principle we went on a bacon strike for another six months. Our pork strike meant that so far as we were concerned the federal Treasury did not profit very much on this commodity. We set down \$2 as our contribution on the estimated purchase of all pork products, including lard. We figured that the \$2.25 per hundred pounds liveweight collected by the federal government had increased to at least five cents per pound when the finished products reached us. It was a much sadder story for the family eating bacon every morning for breakfast, with a roast of pork or a boiled ham three or four times a month!

Another important tax from the standpoint of the consumer was that on cotton. Even the poor family has to have towels, handkerchiefs, sheets, pillow cases, and articles of clothing made of cotton. Two taxes were in effect here. First, in August, 1933, the New Dealers imposed a processing levy of 4.2 cents per pound on lint cotton. Later this was supplemented by the cotton ginning tax of 5.67 cents per pound which had to be absorbed by those farmers to whom it applied. No piece of manufactured cotton could escape the processing tax, however. It is said by those familiar with the cotton business that when this tax finally reached the housewife, it amounted to a disguised sales tax of from ten to twenty per cent. Now here was a place where my wife and I were able to estimate very closely. We had purchased about \$20 worth of sheets, pillow cases, and towels during the year. Striking an

average of fifteen per cent gave us \$3 by which the AAA cotton tax had increased our cost of living.

Sugar cane and sugar beets. Even the cheapest dietary lists prepared by the welfare agencies who specialize in telling people how they can derive the most nourishment out of a dollar include sugar as a necessity. The processing tax amounted to one-half cent per raw pound and the Treasury took in \$71,000,000 on it. We use about two and one-half pounds a week and so we set down sixty-five cents.

There is no need to go on indefinitely telling the processes which we used to determine our many federal cost-of-living taxes. There was the three per cent tax on all the electrical energy that we consumed. Our lighting bills average around \$4.00 a month. We set down \$1.44. We use a lot of matches: ten cents to the government on the basis of two cents per thousand. Two cents on rice; eight cents on peanuts; a trifling amount on the two pounds of cornmeal that my wife purchased in order that I could gratify my longing for cornmeal cakes. Twenty-one cents for our share of the \$24,457,000 which the Treasury collected on the processing of coconut, palm, and other vegetable oils used in the manufacture of soap and cooking preparations. Nineteen cents for our part of the \$4,529,000 by which the government through its tax on dentifrices and toilet soap added to the cost of cleaning our teeth and bathing. That about covers the list of necessities.

III

Now we come to articles more or less in the luxury class. Multiple taxes have been placed on the sale of liquor to an even greater extent than on the automobile. There are imposts on spirits, wines, and

beer in no less than nineteen different forms. I asked a brewers' association the other day how much of the ten cents that one pays for a glass of beer goes for taxes. "Five and six-tenths cents," was the reply. "In whatever form you purchase beer, whether in the bottle for the home, or at a bar, fifty-six cents of every dollar that you spend goes for taxes." These are not, of course, all federal taxes, for the state takes its levy on liquors as it does on motor cars. As I said before, my family's consumption of liquor is very light and the utmost that we were able to squeeze out for the tax collector from one pint of gin, a bottle or two of domestic wine, and a year's supply of beer was \$4.85.

But we did purchase a new gas refrigerator during the year. The government has a manufacturer's excise tax of five per cent on mechanical refrigerators. We did not know the exact cost on which the manufacturer's tax on our cooling unit was based, but on the basis of the cost to us we estimated this levy at \$8. We also included on our tax list two cents on narcotics, for, even though so far as we know we used no medicines containing derivatives of opium, our wholesale and retail drug dealers did have to pay the narcotic tax which entered into their costs of doing business. We purchased two decks of playing cards during the year. Ten cents on each deck went to the tax collector.

Fortunately, our radio performed so well that we suffered little from the decree of Congress that all "radio components and phonograph records" shall pay a manufacturer's excise tax of five per cent. We did have a couple of new tubes though — and they were worth about ten cents to our friends in Washington. There was about fifty cents on perfumes and cosmetics. I hate to confess it, but I was

compelled to put down one cent as our share of the two per cent tax on chewing gum! About \$1.20 on the fur neck-piece of an inexpensive spring coat bought by my wife. Fifty cents on a new tennis racket that I bought for the boy — sporting goods pay a ten per cent manufacturer's tax. I purchased for my wife one piece of jewelry on which the manufacturer's price was at least \$50, and that meant \$5 to the New Deal. We did go to the theater twice and occasionally visited a movie. We turned over \$1.32 to Washington here.

Our long distance telephone calls and our telegrams cost us \$2 in federal taxes. We have a safety deposit box for which we pay \$3 a year, but our bill reads \$3.30; the extra thirty cents being for the government. Up to the time that the bank check tax was repealed, in the middle of the fiscal year, about forty cents a month was deducted regularly from my bank balance to cover the impost on the checks that we had drawn — \$2.40 more added to our living expenses.

Now this about covers what my wife and I considered our federal cost-of-living taxes and when we had set the amounts all down and added them up we found that we had reached a total of \$100.53.

Of course, this did not complete the list of federal taxes which went to reduce the amount which we otherwise would have had available for spending. Not to mention our income tax, there was the effect that the corporation income tax, the capital stock, and possibly the excess profits tax had on the returns from our almost minute stockholdings. One or two trifling stock transfers during the year involved the payment of the stock transfer levy. There was a tax on dividends collected under Section 213 of the NRA and we are quite certain that in some way

this was passed on to us. We know that the Treasury collected over \$6,000,000 on automobile trucks and that this also found its way to us and to everybody else in the form of delivery charges on commodities.

"And to think," my wife said, "that except for the tax on our electrical energy, the taxes on our safe deposit box, our telephone and telegraph messages, and our checks, there wasn't a darn one of them that we knew anything about when we were paying them!"

What does all this mean? It means that those who think that the costs of the New Deal have been unloaded on the wealthy, or that they can be so unloaded, have been fooling themselves. Most of these hidden taxes are taxes on articles which to a great mass of people in this country are almost vital necessities. The gift tax, the tax on club dues — we leave these to the wealthy! But most others can be divided into just two classes, taxes which affect the cost of living for everybody because they apply to necessities without which even families on a mere subsistence scale of living cannot exist; and taxes which, while they may not apply to the very poor, take their toll from nearly everybody else in the United States.

No government can raise fifty-four per cent of its internal revenues from commodity taxes without striking everybody. Why were not the lower wage groups, whose living costs were increased by them, protesting as they would have done if they had been suddenly called upon to pay an income tax? For the simple reason that they are in the same position that we were in before we made our study. They did not know anything about these taxes. Yet, even granting that some of the levies may have been absorbed, they raised to a marked degree the cost of living in the United States.

My wife and I finally estimated that of the \$1,781,000,000 which the Treasury collected in 1935 on commodities, \$1,049,000,000 was derived from absolute necessities of life, namely: wheat, cotton, tobacco, corn, hogs, sugar, peanuts, rice, vegetable oil, dentifrices, toilet soap, matches, and electrical energy. The total sum derived by Congress from levies on the above articles is larger than was the entire budget of the United States in 1914, including the expenditures for the army and navy. While by reason of the huge extent to which we have been living on borrowed money, it represents about one-seventh of our expenditures for 1935, these taxes on necessities actually produced almost one-third of all the internal revenues gathered in the year under review.

The United States census of retail distribution for 1933 discloses sales to the consumers throughout the United States of approximately \$25,000,000,000. The Federal Reserve Bank informs me that their reports indicate that the sales in 1935 were about nineteen per cent higher than they were two years previous. Allowing for this and allowing further for the fact that the end of Prohibition brought changes in buying habits which have not yet reached the state of official reports, we are justified in the conclusion that commodity taxes added at the very least five per cent to consumer costs between July 1, 1934, and June 30, 1935. That is the system of Soak-the-Poor, and everybody else, taxation.

IV

The above outline shows the New Deal tax picture as it existed up to a few months ago. Important changes have taken place since. The AAA has been declared unconstitutional and the AAA taxes which

figured in my own and my wife's calculations are nullified, for the time being at least. But Congress has voted the veterans' bonus which will involve an early cash expenditure of from one to two billion dollars. And the President has presented a budget into which the Chamber of Commerce of the United States reads a potential deficit of five billion dollars in 1937. Mr. Roosevelt has submitted a new tax plan to Congress which calls for a revision of the corporation taxes and for another group of excise taxes. So the chances of any improvement seem remote.

Now we turn to the other side of the picture, for really the federal portrayal that has been made above is only the beginning of the tax story. The piling up of taxes by the Brain Trusters has infrequently served to decrease the demands on the purse from local administrators, city boards of estimate, county boards of supervisors, state legislatures, and the rest of the galaxy of spending agencies whose demands are fed from the public purse. Rather the local agencies are now studying how they can obtain the cash to match New Deal loans with local credit and thus throw the communities more completely into the golden flood.

We don't get the complete tax story until we consider figures recently published by the Committee on Finances of the Congress of American Industry, which show that in 1935 the cost of all government—federal, state, and local—in the United States amounted to 26.7 per cent of the total national income. Not all of that government cost is taxes—not yet. Some of it is borrowing. But it was well established a year or two ago that taxes themselves were then taking over twenty-one per cent of the national income.

Now what does this mean to the individual family? Let us take a typical

family living in New York City — a man and wife, two children, and assume that they have an income of \$3300 a year. That exempts them from the income tax brackets. If you told the average wage-earner in this class that \$693 out of his yearly salary went back to government in the form of taxes, he would laugh at you. Yet it does not take very much study to see how this figure may very easily be reached.

This man on a \$3300 income with his two children is probably paying about \$60 a month rent. Recently the Real Estate Board of New York made a survey showing that from twenty-nine to thirty per cent of all rental income goes for taxes. To speak in more concrete terms I know a family just outside the city that is paying a rental of \$57 a month and I know the agent of the rented property well enough to have discovered that last year out of \$684 which this family paid in rent, \$221 or almost four-months rent was paid out immediately in taxes. I know another person, a widow, who lives in a rented house for which she pays \$80 a month. Of the \$960 which she paid last year, \$339.70, or more than four-months rent went to the city for taxes.

So our \$3300-a-year man, who scoffs at the idea that a fifth of his income goes for public revenue, can take out at the very outset over \$200 a year to represent the taxes which he pays unknowingly when the landlord collects the rent. But his real estate taxes do not stop here. His wife goes to the store and buys a roast of beef which costs her perhaps \$2. Into the cost of that roast enters the taxes which the butcher pays, either directly or through rent, the taxes on the garage in which the delivery truck is stored, the taxes on the wholesale plant from which the beef was delivered to the butcher, the taxes on the

railroad that brought that beef from Chicago to New York, the taxes on the stockyard where the beef was butchered, the taxes on the railroad that brought the cattle to the stockyard, and, finally, the real estate tax of the farmer who raised them. We may also add in the fee paid by the driver of the truck for his license, the tax on the truck which brought the beef to the butcher, and all the manifold corporation taxes paid by the company which butchered the beef. We can spread these taxes out very thin and still have quite a number of cents on every roast of beef.

So it is with every other article which our \$3300 family buys. Not content with the real estate tax which already dips so heavily into every family purse, New York City has more recently imposed a direct sales tax of two per cent. This does not apply to food, but it does apply to almost every other article, including coffins, which our family of four sometimes has to buy. Assume that our family is spending \$300 a year for clothes — \$6 goes to the city as a sales tax. A new couch for the living room, \$75 — \$1.50 to the City of New York.

Our family may have some sort of car which will consume about one gallon of gas for every fifteen miles. Every time they clock fifteen miles, four cents goes to the State as their gasoline tax, as well as one cent to the New Deal, not to mention the twelve or fifteen dollars which it costs to license the car and the driver. Then there is their contribution to the various special fees and taxes which are imposed by both City and State. I participated in a study not long ago which showed that there are seventy kinds of businesses or professions from which special fees are collected in New York City, ranging all the way from \$1, the

annual registration fee of an engineer or surveyor, to \$7500. All tend, of course, to increase the cost of the goods or services provided by those from whom the fees are collected.

Many of these items are of such character that it is impossible to trace the exact amounts by methods such as my wife and I applied in working out our contributions to the government commodity taxes. But there is one other item which can be traced with accuracy—that is the tax part of gas and electric bills. I am informed by the Consolidated Gas Company of New York City that of every dollar taken in from the customer for gas or electricity, 19.99 cents goes to the tax collector. In other words, if our typical family has a total gas and electric bill of \$5 a month, this family is, through the payment of that bill, contributing about \$12 a year to the support of government.

Our \$3300 family must also remember a host of taxes in addition to the gasoline tax and special fees imposed by the State of New York. There is the tax on unincorporated business, the franchise tax on business corporations, the tax on the capital stock and gross assets of real estate corporations, the tax on the gross assets and capital stock of transportation and transmission corporations, the tax on the gross earnings within the State and dividends in excess of four per cent of waterworks, gas, electric, steamheating, lighting, and power companies, the tax

on premiums of insurance corporations, the tax on savings banks, the tax on State banks, trust companies, and financial corporations, the tax on national banks, the corporation organization tax, the franchise tax on holding corporations and agricultural stock corporations, the mortgage recording tax, the stock transfer tax, the tax on boxing and wrestling contests, the tax on horse racing, and various large taxes and fees collected from the sales of alcoholic beverages. New York City also has a group of emergency taxes, including the tax on gross receipts, the personal property tax, and the public utilities tax.

In considering the application of these various corporation levies to themselves, our typical family must remember that in the long run nearly all taxes find their way back to the consumer. Companies work for profits, and their taxes are one of the costs which must be deducted before there can be any profits. Without the consumer there can be no business, and hence, no money to pay taxes.

So let the wage-earner in our typical family consider all of these matters. Let him play the game that my wife and I played with the federal commodity tax report. And when he gets all through, let him deny, if he can, that he is working more than one day of every week for the tax collector. At least my wife and I are fully convinced that something more than twenty cents of every dollar that we spend goes into the increasingly avaricious maw of government.



NUDISM DENUDED

BY ANTHONY M. TURANO

WHEN Eve urged Adam to bestir himself and wear something for the sake of decency and posterity, Adam obeyed her like a gentleman. No less than Walter Shandy after him, he knew the futility of arguing with a woman about the difference between a point of pleasure and an appendage of fashion. On the whole, his lineal descendants have been too grateful to deny that a stitch in time was better than a storkless eternity. Consequently, as Carlyle says, human society has been sailing ever since "through the infinitude on cloth".

But because the first born of Jehovah initiated the Sartorial Revolution with some misgivings, the racial consciousness has never been entirely free from the same Adam's Apple of nostalgic hesitation. Thus ancient India was entertained by bare-skinned Gymnosophists; the Middle Ages were annoyed by Witches' Sabbaths, in which men and women cavorted with no other covering than moonlight and sin; and the Reformation produced such atavistic sects as Grazers and Naked Quakers. And today, the most disturbing eye-sores for prudes and policemen are various groups of Naturists, Nudists, Dukhobors, and other belated discoverers of the sun, who maintain that the Age of Innocence is barely outside our skins, and may be enjoyed, without prurience, pornography, sex, or serpents, in a simple corral built for the purpose. What was originally a tripartite disputation about begetting or not

begetting is now reduced to a Comstockian wrangle as to whether it is better to bask or not to bask, and whether we should do so collectively or privately, decorously or co-educationally.

So far, the new cult has relied for success chiefly on the bare facts involved, with very little proselyting. For if any vitality whatever remains to the members after their Zoroastrian evaporations, it is hardly sufficient for the equally consuming business of dodging Peeping Toms and resisting arrest. Nevertheless, the speedy growth of the denuding movement among us is a major social marvel. Although it was not imported to America until five years ago, it already boasts of nearly a hundred clubs and camps, bearing such paradisaical titles as Heliopia, The Olympic Fields, The Delian League, The Phoebusian Associates, The Hesperian Society, The Sunrisers, Aboriginal Culture, The Sun Tanners, and The Arcadians. At least two-dozen learned books on the subject have gone forth to the old-fashioned world, accompanied by several fancy periodicals.

Of course, one of the explanations of such phenomenal strides is that one persecuted martyr is worth a hundred missionaries. The nudists have been jailed by the police, berated by Arthur Brisbane, denounced by the Pope, and reprimanded by all right-thinking civic organizations. The last resolution against them was promulgated, in Braille alphabet, by the blind citizens of San Diego! Another factor is that

the Depression has equipped the doctrine of nakedness with the inexorable power of necessity, which knows no law against obscenity. It was recently admitted by no less an authority than Jacob I. Hulbert, president of the International Association of Clothing Designers, that the per capita ownership of clothes among the male population of America is one and one-third suits and less than one overcoat. If it be remembered that diplomats and gigolos are notoriously overdressed, it follows that most of us are less than one ply of decency away from downright innocence.

Emboldened by this willy-nilly stripping, John Langdon-Davies confidently predicts that "it will indeed be a short time only before a person who wears more than a loin cloth on Fifth Avenue will be stigmatized as indecent and degenerate". Presumably, even this reduced costume will be discarded when the citizen is among friends in Radio City or the Stock Exchange. So it may be that the catastrophic return to Eden will be upon us before we can cry "For Shame!" Nevertheless, as we obediently divest ourselves in conformity with Naturism and the New Deal, it may not be amiss to advance a few academic objections for the sake of the record.

II

It is argued, for example, that nudity is physiologically imperative because the ultra-violet rays of the sun have been itching to get at our epidermis ever since fig leaves took the place of mutual trust. There is no denying that actinic radiation has extraordinary therapeutic powers against rickets and similar ailments. As a carrier of vitamin D, it is an excellent substitute for cod-liver oil, and can be taken lying

down, without gagging. Like every other medicine, however, its dosage must be professionally regulated. Hundreds of persons die annually of sunstroke; countless thin-skinned blondes have been known to expire from injudicious exposure. Furthermore, only a small part of the population is rachitic. To insist that the treatment is equally good for athletes and paralytics is just as logical as saying that health can be stored up in vintages, like a supply of wine against the ravages of the thirst to come. Although the curative value of radioactive mud baths is also well-known, no one suggests that wallowing in swamps is an enviable pastime.

The carefully toasted back-side of a Social Registerite will sometimes simulate the appearance of blooming health. But, as Jerome W. Ephraim has pointed out in *THE AMERICAN MERCURY*, the sun-cured neck of a farmer, with its dilated blood vessels, horny calluses, and skin cancers, is neither beautiful nor comfortable. That pigmentation and well-being are not identical is evident from the fact that the darkest races are also the sickliest. There may be small choice between jaundice and anemia, but neither condition will be improved by sunbeams or breezes. Hence it is not surprising that Dr. Pottinger, an eminent skin specialist, sums up the hygienic claims of nudism with one single word: asinine.

Since clothes are incidentally convenient against pneumonia, the Neo-Zoroastrians predict that our bodies will eventually become weather-beaten enough to withstand the severest winters. In the meantime, it is agreed that the worrying of Mrs. Grundy should be carried on with some respect for thermometers. Unfortunately, however, the summers are not wholly compounded of violets and daisies. Grass is damp, pebbles are sharp, sand is rough, and mos-

quitos are hungry. Last year, for instance, in the nudist colony of the San Diego Exposition, a naked female convert blistered herself painfully by sitting on a sun-baked stone. The incident may be said to contradict, by a *posteriori* demonstration, some of the *a priori* assumptions of the cult.

An equally practical demurrer to the nudist Utopia is that, in the civilized state, man is a tool-using and trinket-carrying animal. Yet Providence forgot to provide him with marsupial conveniences. Of all God's creatures, the kangaroo alone is equipped with a natural pouch in which to pack a pipe, a handkerchief, a pair of spectacles, a purse, and other indispensables. Furthermore, the shedding of garments involves some losses in personality. To be sure, the difference between a street-sweeper and an archbishop may be largely tailor-made, but there is no doubt that appropriate attire saves a great deal of questioning. When the Nudist Theater Guild produced *The Girl From Childs'*, it became necessary to suggest a social lion by dressing an otherwise naked character in a silk hat, a cane, and a starched dickey.

Even if cutaneous illumination were proved to be a medical necessity, there is still ample reason to hesitate about removing our last tassel. Of course, the sun-worshippers warn us that the perineal region contains some important glands, all in urgent need of direct and violent radiation. But it is generally known that the raw materials for any serviceable pair of trunks are yielded by certain wool-laden animals who have never been deemed symbols of sexual debility. Indeed, every surgeon who resorts to rejuvenation through gland transplantation thereby affirms Mark Twain's famous verdict that "ye ram is ye emperor's superior".

In view of these devastating therapeutic

theories, one would expect to find nudist literature crowded with illustrated testimonials of how an obese dowager regained her youthful figure, or how a plumber's pimples were found to wax and wane according to the sun-spot hypothesis. It is not easy to understand why every magazine of the cult is photographically populated, almost entirely, by tempting nymphs *au naturel* who have small need of nursing; or why the accompanying text is largely compounded of eloquent denials of exhibitionism, and equally loud disclaimers of all intention to arouse anything but the higher cerebral centers.

Moreover, if nudity must be prehistorically absolute, it is difficult to see the necessity of organizing promiscuous conclaves, adopting by-laws, or electing Supreme Serpents and hefty Recording Angels. In fact, the salubrious effects would be even greater if the sun were ignored entirely, and a quartz lamp were permitted to shine upon the most intimate endocrine area, in the solitude of the patient's own apartment. But the moulting theory is not entirely concerned with wholesome curves. It is equally rich in spiritual angles, all tending to show that most of the moral troubles of mankind are due to our stubborn refusal to dangle our complexes in the noonday sun.

Harold Hastings contends, for instance, that Nudism will save the race from obscenity and the Freudian goblins by encouraging the social trend toward calling "a spade a spade because it *is* a spade". Now as a matter of sober rhetoric, it may be admitted that a Rabelaisian password is no less expressive than a medical polysyllable. But it is well to remember that Mr. Hastings is not really speaking of a garden utensil. At large or in hiding, a spade is still an implement intended for specific uses, according to generally ac-

cepted norms of husbandry. The mere sunning or bathing of the thing in mixed company will not serve to exorcise those romantic hallucinations that may produce a son by copulation, a sonnet by sublimation, or a neurosis by negation. The question of emotional well-being is too intricate to be solved by simply revising the dictionary.

Another bronzed evangelist insists that the skimpiest G-string is morally degrading because it may have "the same effect as one word of italics on a page of ordinary type". This is probably true of the tailored artifices of a variety show, but the argument has its typographical weakness when applied to a pair of shorts, in view of the fact that nature herself chooses to mark the genital region in bold capitals. We are supposed to be surprised by the fact that when a convert has been finally induced to disrobe he regains his composure a few minutes after the event. But this simply shows that the nudists are not bringing anything new under the sun; and that the average citizen is not so obsessed with abdominal thoughts as the sun-worshippers imagine. The same feeling of ease prevails in a bathing suit or a mackintosh.

According to Frances and Mason Merrill, however, the explanation of this lack of squeamishness is that "the unclothed body rapidly becomes commonplace, neither shameful nor erotically stimulating". But, obviously, this is no argument for nudity: the ostentatious exhibition of physical mediocrity is no less offensive than failing to conceal mental infirmity; and unless it is shown that emotional frigidity is a social desideratum, the invitation to display the naked verities cannot sound any more attractive than that of a swimmer who yells: "Come on in, the water's muddy!" The sad truth is that

most bodies are not only indifferent, but actually repulsive. An artistic census taken at any public beach will show that a considerable percentage are deformed, and some are positively grotesque; only one or two specimens are worthy of notice. Indeed, there is reason to believe that Eve's timely teasing had its aesthetic motives. She undoubtedly visualized the ugly spectacle of a monotonously tanned and shapeless humanity, and resolved to give the race a start in the general direction of individualized and multi-colored variegation.

To be sure, a cleverly designed frock will sometimes arouse exploratory instincts toward a mysterious body that would produce nothing but a sneer in its nude state. But, as the Merrills themselves observe, without any consciousness of inconsistency, "it cannot be assumed that clothes are necessarily attractive any more than bodies. Some styles are absurd or hideous" and the majority do not "dress in becoming manner". The conclusion seems to be that if the human race manages to reproduce itself, the credit belongs entirely to a militant minority of the womenfolk, who keep us hot and bothered through a shameful conspiracy with their dressmakers.

A naked authority extols the Ethiopians whose "propagations are indulged in at such times as Necessity arises and Opportunity makes possible". But even if it were desirable to reduce the biological urge to a painful chore, like building a camp fire, or eating a pot of beans, there is no certainty that the ideal is feasible. For, whether the invitation to misbehavior is greater in the flesh or in the cloth naturally depends on the identity of the tempter and the tempted. In the case of Mahatma Gandhi, female blood pressure would probably remain the same in either condition. A Sally Rand in fans might be more dan-

gerous than her grandmother in a diaphanous nightie. But when it comes to a genuine Lady Godiva undraped, it is likely that the beholder would eventually develop some annoying complexes, even though his first impulse might be a mixture of pity and aesthetic joy.

III

It must not be imagined, from all this chatter about total bareness as a road to spiritual comfort, that its proponents have any intention to cure oversexed or pathological cases. They frankly admit, on the contrary, that the proverbial bull in a china shop is like a sleepy deacon in his pew compared to a nymphomaniac in a nudist colony. So that the adults who have been ruined by the tantalizing effects of corsets and trousers must struggle with their complexes among those who wear them. Meanwhile, nudism visions a healthier generation by properly educating the young.

It is probable, however, that the neurotic crop will be greater than ever. It may be true that, with children under their teens, occasional visual acquaintance with bodies of the opposite sex would tend to prevent the formation of morbid erotic curiosities. But with the approach of puberty, the same youngsters are bound to be puzzled by the development of secondary sexual characteristics in the female, and the equally plain perineal promptings in the male. The attempt to forget such physiological facts by paradoxically exposing them to the elements is bound to produce self-consciousness, shame, emotional conflict, and vicarious gratification, the very evils that nudism claims to prevent. The eminent logic of clothing is that it represses a biological readiness that civilized society cannot recognize until the marriageable age, several years later.

Since the abundance of wearing apparel is in ratio to the degree of civilization, the nudists frequently glorify the "innocence and simplicity" of the lower races. The truth is, however, that absolute nakedness among savages is extremely rare. As Westermarck observes, "some degree of sexual modesty is in all probability universal in mankind". With more wisdom than modern heliophobes consider necessary or healthy, the women of certain tribes habitually assume special postures, in order to "conceal something which might otherwise attract unpleasant attention".

Furthermore, the courting technique of savages is somewhat different from that of their betters. No modern man attempts to ensnare a wife by presenting her with a freshly-slain tiger or a collection of scalps. Perhaps deeds of valor with stocks and bonds are equivalent credentials; but the special stress of modern amorous dalliance is on palpation and osculation. Psychologists inform us that this laying on of hands serves the purpose of a biochemical test to determine whether the more intimate embraces of marriage are likely to result in physical harmony or a *casus belli*.

Nevertheless, such practices are contemptuously put down as an indecent "popular sport" by two eminent propagandists of latter day Gymnosophy. Presumably, the ideal nudist courtship is by correspondence. But until "the younger generation" acquires the technique of a long distance siege, the learned authors agree that the parties "could put on clothes" temporarily for each occasion. It seems that whenever nudists get hopelessly entangled in the foliage of the Tree of Life or the Bush of Knowledge, they cannot extricate themselves without summoning their enemies, the tailors. The same compromise with the pruriency of cloth must apply, *a fortiori*, against the

libidinous possibilities of naked dancing. For it is not easy to imagine a nudist, except one done in Carrara marble, who could survive the holds and trials of a contemporary fox-trot without entertaining some pretty nasty Victorian thoughts.

That the sun-tanners themselves are somewhat suspicious of their own dogmas is manifested by their strict pasturing rules. In describing the social policy of her California *Nacht Kultur* club, a female neophyte testifies: "The unmarried people were watched . . . and none was allowed to wander off. Bedtime arrived. Unmarried women and men had separate quarters and were guarded all night." So it appears that our friends no sooner strip than they call the police. Evidently, the same body that is supposed to be so mediocre in the light of day assumes a different form at night, when nature herself covers the most chaste skins in a mysteriously ensnaring suit of moonbeams and darkness. It is generally agreed that such an environment tends to stimulate the sense of deviltry among the feathered portion of humanity. But in the case of emancipated persons who believe in the "wholesomeness of the human body and all its functions", there should be no fear of logical consequences.

In brief, when the various "back to nature" movements are denuded of their pseudo-scientific trappings, the votaries appear to be rugged individualists who would rather submit to the elements than put their trust in the government. That the expounders of the new faith are not all ignorant of its escapist and neurotic psychology, appears from the language of Dell Hogarth in the December, 1934, issue of *Nude Life*:

This constant overemphasis on health is not only tiring but stupid. . . . In modern days nudism has been the result of social confusion. In its larger aspects it started in

post-war Germany. . . . If we can escape self destruction or the insanity which is growing at an alarming rate each year we are fortunate.

Now it could be argued that these wholesale desertions to primitive jungles and tropical islands, while the rest of us attempt to retain our shirts as we repair the social order, are not the best evidence of good sportsmanship. It may be equally ungallant, however, for those who wear suits, as well as brief authority, to inflict punishment on fellow bipeds who have made themselves helpless by wearing neither. Besides, the best-dressed among us came into the world with no other adornment than an umbilical cord; and we are all shameful strippers during fleeting moments on arising and retiring. Consequently, the moral and legal argument against bareness requires an intermittent conscience. As I have shown, the nudists are neither sensible nor consistent; but the fact does not justify sober neutrals in fraternizing with their somber-garmented opponents. The Legion of Decency, for instance, was absorbed in the stupid business of draping inanimate statues and bowdlerizing printed words, until the sun-bakers provided them with a livelier quarry. It is not likely that general social deterioration will result, if groups of men and women find it amusing or edifying to cut a few capers in untailored but orderly seclusion.

But this willingness to contemplate anatomical facts artistically presented should carry no further obligations: prudes have their rights, no less than nudes. And when it comes to extending the same privilege of wrapless parade to the general run of drooping dryads and spavined satyrs, there is no doubt that the prevailing laws against indecent exposure should be amended to include the wanton felony of unsightly and unwarranted exhibition.

D. H. LAWRENCE

BY FORD MADDOX FORD

IN THE year when my eyes first fell on words written by Norman Douglas, G. H. Tomlinson, Wyndham Lewis, Ezra Pound, and others, amongst whom were Stephen Reynolds who died too young and is much too forgotten — upon a day I received a letter from a young schoolteacher in Nottingham. I can still see the handwriting — as if drawn with sepia rather than written in ink, on gray-blue notepaper. It said that the writer knew a young man who wrote, as she thought, admirably but was too shy to send his work to editors. Would I care to see some of his writing?

In that way I came to read the first words of a new author:

The small locomotive engine, Number 4, came clanking, stumbling down from Selston with seven full waggons. It appeared round the corner with loud threats of speed but the colt that it startled from among the gorse which still flickered indistinctly in the raw afternoon, outdistanced it in a canter. A woman walking up the railway line to Underwood, held her basket aside and watched the footplate of the engine advancing.

I was reading in the twilight in the long eighteenth-century room that was at once the office of the *English Review* and my drawing room. My eyes were tired; I had been reading all day so I did not go any further with the story. It was called *Odour of Chrysanthemums*. I laid it in the basket for accepted manuscripts. My secretary looked up and said:

“You’ve got another genius?”

I answered: “It’s a big one this time,” and went upstairs to dress. . . .

It was a Trench dinner at the Pall Mall Restaurant — a Dutch Treat presided over by Herbert Trench, the poet, and Dutch Treats being the new in London, Trench dinners were real social events. You sat in groups of five at little tables and the big hall of the restaurant was quite full.

I was with Mr. H. G. Wells, Mr. Hilaire Belloc, Mr. Maurice Baring, and Mr. G. K. Chesterton. At other tables were other celebrities. In the middle of an astounding story about the Russian court, told by Mr. Baring who had lately returned from being first secretary or something at our embassy in St. Petersburg, Mr. Belloc’s magnificent organ remarked to an innocent novelist called Kinross, who at the next table was discussing the New Testament with Ladies Londonderry and Randolph Churchill, the reigning beauties of that end of a reign:

“Our Lord?” Mr. Belloc’s voice pealed among the marble columns and palms. “What do *you* know about Our Lord? Our Lord was a Gentleman.”

To turn the discussion I remarked to Mr. Wells that I had discovered another genius, D. H. Lawrence by name; and, to carry on the good work, Mr. Wells exclaimed — to some one at Lady Londonderry’s table:

“Hurray, Fordie’s discovered another genius! Called D. H. Lawrence!”

Before the evening was finished I had had two publishers asking me for the first refusal of D. H. Lawrence's first novel and, by that accident, Lawrence's name was already known in London before he even knew that any of his work had been submitted to an editor. . . . The lady who had sent the story to me chooses to be known as "E. T." and she had not even told Lawrence that she was sending the mss.

So next morning I sent Miss E. T. a letter, a little cautious in tenor, saying that I certainly liked the work she had sent me and asking her to ask her friend to call on me when he had the opportunity. I appear to have said that I thought Lawrence had great gifts, but that a literary career depended enormously on chance, and that if Lawrence had a good job in a school he had better stick to it for the present. It was probably a stupid thing to do and I have regretted it since for I was certain that that writer had great gifts and the sooner a writer who has great gifts takes his chance at writing, the better.

Miss E. T. in her lately-published little book on the youth of Lawrence¹ — and a very charming and serviceable little book it is — seems to be under the impression that she sent me as a first instalment only poems by Lawrence. Actually she first asked me if I would care to see anything — and then should it be poetry or prose. And I had replied asking her to send both, so that she had sent me three poems about a schoolmaster's life . . . and *Odour of Chrysanthemums*. I only mention this because I found the poems, afterwards, to be nice enough but not immensely striking. If I had read them first I should certainly have printed them — as indeed I

did; but I think the impact of Lawrence's personality would have been much less vivid. . . . Let us examine, then, the first paragraph of *Odour of Chrysanthemums*.

The very title makes an impact on the mind. You get at once the knowledge that this is not, whatever else it may turn out, either a frivolous or even a gay, spring-time story. Chrysanthemums are not only flowers of the autumn: they are the autumn itself. And the presumption is that the author is observant. The majority of people do not even know that chrysanthemums have an odor. I have had it flatly denied to me that they have, just as, as a boy, I used to be mortified by being told that I was affected when I said that my favorite scent was that of primroses, for most people cannot discern that primroses have a delicate and, as if muted, scent.

Titles as a rule do not matter much. Very good authors break down when it comes to the effort of choosing a title. But one like *Odour of Chrysanthemums* is at once a challenge and an indication. The author seems to say: Take it or leave it. You know at once that you are not going to read a comic story about someone's butler's omniscience. The man who sent you this has, then, character, the courage of his convictions, a power of observation. All these presumptions flit through your mind. At once you read:

"The small locomotive engine, Number 4, came clanking, stumbling down from Selston," and at once you know that this fellow with the power of observation is going to write of whatever he writes about from the inside. The "Number 4" shows that. He will be the sort of fellow who knows that for the sort of people who work about engines, engines have a sort of individuality. He had to give the engine the personality of a number. . . .

¹ D. H. Lawrence, *a Personal Record*, by E. T. London, Jonathan Cape.

"With seven full waggons". . . . The "seven" is good. The ordinary careless writer would say "some small waggons". This man knows what he wants. He sees the scene of his story exactly. He has an authoritative mind.

"It appeared round the corner with loud threats of speed". . . . Good writing; slightly, but not *too* arresting . . . "But the colt that it startled from among the gorse . . . outdistanced it at a canter." Good again. This fellow does not "state". He doesn't say: "It was coming slowly", or — what would have been a little better — "at seven miles an hour". Because even "seven miles an hour" means nothing definite for the untrained mind. It might mean something for a trainer of pedestrian racers. But the imaginative writer writes for all humanity; he does not limit his desired readers to specialists. . . . But anyone knows that an engine that makes a great deal of noise and yet cannot overtake a colt at a canter must be a ludicrously ineffective machine. We know then that this fellow knows his job.

"The gorse still flickered indistinctly in the raw afternoon". . . . Good too, distinctly good. This is the just-sufficient observation of Nature that gives you in a single phrase landscape, time of day, weather, season. It is a raw afternoon in autumn in a rather accented countryside. The engine would not come round a bend if there were not some obstacle to a straight course — a watercourse, a chain of hills. Hills, probably, because gorse grows on dry, broken-up waste country. They won't also be mountains or anything spectacular or the writer would have mentioned them. It is, then, just "country".

Your mind does all this for you without any ratiocination on your part. You are not, I mean, purposedly sleuthing. The engine and the trucks are there, with the

white smoke blowing away over hummocks of gorse. Yet there has been practically none of the tiresome thing called descriptive nature, of which the English writer is as a rule so lugubriously lavish. . . . And then the woman comes in, carrying her basket. That indicates her status in life. She does not belong to the comfortable classes. Nor, since the engine is small, with trucks on a dud line, will the story be one of the Kipling-engineering type, with gleaming rails, and gadgets, and the smell of oil warmed by the bearings, and all the other tiresomenesses.

You are, then, for as long as the story lasts, to be in one of those untidy, unfinished landscapes where locomotives wander innocuously amongst women with baskets. That is to say, you are going to learn how what we used to call "the other half" — though we might as well have said the other ninety-nine hundredths — lives. And if you are an editor and that is what you are after, you know that you have got what you want and you can pitch the story straight away into your wicker tray with the few accepted manuscripts and go on to some other occupation. . . . Because this man knows. He knows how to open a story with a sentence of the right cadence for holding the attention. He knows how to construct a paragraph. He knows the life he is writing about in a landscape just sufficiently constructed with a casual word here and there. You can trust him for the rest.

And it is to be remembered that, in the early decades of this century, we enormously wanted authentic projections of that type of life which hitherto had gone quite unvoiced. We had had Gissing, and to a certain degree Messrs. H. G. Wells and Arnold Bennett, and still more a writer called Mark Rutherford who by now, I should imagine, is quite forgotten.

But they all wrote — with more or less seriousness — of the “lower middle” classes. The completely different race of the artisan — and it was a race as sharply divided from the ruling or even the mere white-collar classes as was the Negro from the gentry of Virginia — the completely different class of the artisan, the industrialist, and the unskilled laborer was completely unvoiced and unknown. Central Africa and its tribes were better known and the tombs of the Pharaohs more explored than our own Potteries and Black Country.

II

It was therefore with a certain trepidation that I awaited the visit of Lawrence. If he was really the son of a working coal-miner, how exactly was I to approach him in conversation? Might he not, for instance, call me “Sir” — and wouldn’t it cause pain and confusion to stop him doing so? For myself I have always automatically regarded every human being as my equal — and myself, by corollary, as the equal of every other human being — except of course the King and my colonel on — not off — parade. But a working man was so unfamiliar as a proposition that I really did not know how to bring it off.

Indeed, E. T. in her account of the first lunch that I ever gave Lawrence and herself, relates that Ezra Pound — who has a genius for inappropriate interpolations — asked me how I should talk to a “working-man”. And she relates how she held her breath until, after a moment’s hesitation, I answered that I should speak to him exactly as I spoke to anybody else.

Before that I had had some little time to wait for Lawrence’s visit. I found him disturbing enough. It happened in this way:

It would appear that he was on his holidays and, as one can well believe, holidays on the seashore from a Croydon board school were moments too precious to be interrupted even for a visit to a first editor. Indeed, as I heard afterwards, he had talked himself into such a conviction of immediate literary success that he could not believe in the existence of a literary career at all. He had, I mean, said so often that he was going to make immediately two thousand — pounds, not dollars — a year and had so often in schemes expended that two thousand a year in palaces with footmen that, when he came to himself and found that he had not so far printed a word, a literary career seemed part of a fairy tale such as no man had ever enjoyed. And there were no doubt shynesses. Obviously you cannot approach the utterly unknown without them. Yes, certainly there were shynesses.

It must have been on a Saturday because otherwise Lawrence would not have been free to leave his school and come up from Croydon, which was a suburb but not part — as poor Lawrence was to find to his cost — of London, and it cannot have been a Sunday because we were working. And I certainly must have been in the relaxed frame of mind that comes just before the end of the week-end. I was, I suppose, reading a manuscript or some proofs in a chair that looked towards the room door. My secretary, Miss Thomas, who afterwards won renown as the war secretary of Mr. Lloyd George, presumably heard some one knocking at the outer door, for I was dimly aware that she got up from her desk, went out and returned, passing me and saying: Mr. Someone or other.

I was engrossed in my manuscript or proofs. Miss Thomas, imagining that she had been followed by the individual she

had found at the outer door, sat down at her desk and became engrossed in her work. And deep peace reigned. The room was L-shaped, the upright of the L being long and low, the rest forming an alcove in which was the door. . . . And suddenly, leaning against the wall beside the doorway, there was, bewilderingly . . . a fox. A fox going to make a raid on the hen-roost before him. . . .

The impression that I had at my first sight of Lawrence is so strong with me at this minute that the mere remembrance fills me with a queer embarrassment. And indeed, only yesterday, reading again — or possibly reading for the first time for I did not remember it — Lawrence's story called *The Fox*, I really jumped when I came to his description of the fox looking over its shoulder at the farm girl. Because it was evident that Lawrence identified himself with the russet-haired human fox who was to carry off the as-it-were hen-girl of the story.

And that emotion of my slightly tired, relaxed eyes and senses was not so bad as a piece of sensitized imagination. The house itself was old and reputed full of ghosts, lending itself to confusions of tired eyes. . . . My partner Marwood, sitting one evening near the front windows of the room whilst I was looking for something in the drawer of the desk, said suddenly:

"There's a woman in lavender-colored eighteenth-century dress looking over your shoulder into that drawer." And Marwood was the most matter-of-fact, as it were himself eighteenth-century, Yorkshire Squire that England of those days could have produced.

And I experienced then exactly the feeling of embarrassment that I was afterwards to feel when I looked up from my deep thoughts and saw Lawrence, leaning,

as if panting, beside the doorpost. . . . It was not so bad an impression, founded as it was on the peculiar, as if sunshot tawny hair and moustache of the fellow and his deep-set and luminous eyes. He had not, in those days, the beard that afterwards obscured his chin — or I think he had not. I think that on his holiday he had let his beard grow and, it having been lately shaved off, the lower part of his face was rather pallid and as if invisible, whereas his forehead and cheeks were rather high-colored. So that I had had only the impression of the fox-colored hair and moustache and the deep, wary, sardonic glance . . . as if he might be going to devour me — or something that I possessed.

And that was really his attitude of mind. He had come, really like the fox, with his overflow of energy — his abounding vitality of passionate determination that seemed always too big for his frail body — to get something — the hypnotic two thousand a year; from somewhere. And he stood looking down on the "fairish, fat, about forty" man — so he described me in his letter home to E. T. — sprawling at his mercy, reading a manuscript before him. And he remarked in a curiously deep, rather musical chest-voice:

"This isn't my idea, Sir, of an editor's office."

That only added to my confusion. I had not the least idea of who this fellow was — and at the same time I had the idea from his relatively familiar address that it was someone I ought to recognize. But I was at least spared — since I did not know it was Lawrence — the real pain that his "Sir" would have caused me had I known. For I should have hated to be given what I will call a caste Sir by anybody who could write as Lawrence could. But I was able to take it as the sort of "Sir" that one

addresses to one's hierarchically-superior social equals . . . as the junior master addresses the Head or the Major or the Colonel. And that was it, for when a little later I reproached him for using that form of address, he said:

"But you are, aren't you, everybody's blessed Uncle and Headmaster?"

For the moment, not knowing how to keep up the conversation with an unknown, I launched out into a defense of my room. I pointed out the beauty of its long, low, harmonious proportions; the agreeable light that fell from windows at both ends with trees beyond one half of them; the pleasant nature of the Chippendale chairs and bureaus that had been in my family for several generations; the portrait of myself as a child by my grandfather, and his long drawings for stained glass. And I ended up by saying:

"Young man, I never enter this room, coming from out of doors, without a feeling of thankfulness and satisfaction such as I don't feel over many things in this world." . . . All the while asking myself when I was going to pluck up my courage to say to this super-vitalized creature from a world outside my own that I could not for the life of me remember who he was.

He continued to stand there, leaning still slightly against the doorpost with his head hanging a little as if he were looking for his exact thoughts. Then he raised his sardonic eyes to mine and said:

"That's all very well. But it doesn't look like a place in which one would make money."

I said with the sort of pained gladness that one had to put on for that sort of speech:

"Oh, we don't make money here. We spend it."

And he answered with deep seriousness:

"That's just it. The room may be all

right for your private tastes . . . which aren't mine, though that does not matter. But it isn't one to inspire confidence in creditors. Or contributors."

That fellow was really disturbing. It wasn't that his words were either jaunty or offensive. He uttered them as if they had been not so much assertions as gropings for truth. And a little, too, as if upon reflection I might agree with his idea and perhaps change my room or neighborhood. And he added:

"So that, as a contributor, the first impression. . . ."

And he answered my immediate question with:

"You are proposing to publish a story of mine. Called *Odour of Chrysanthemums*. So I might look at the matter from the point of view of a contributor."

That cleared the matter up, but I don't know that it made Lawrence himself seem any less disturbing. . . .

I have had indeed the same experience lately whilst I have been re-reading him for the purpose of this article. Each time that I have opened one of his books, or merely resumed reading one of his novels, I have had a feeling of disturbance — not so much as if something odd was going to happen to me but as if I myself might be going to do something eccentric. Then when I have read for a couple of minutes I go on reading with interest — in a little the spirit of a boy beginning a new adventure story. . . . I will return to that side of the matter later.

Enthusiastic supporters of the more esoteric Lawrence will say that my perturbation is caused by my coming in contact with his as-it-were dryad nature. As if it were the sort of disturbing emotion caused in manufacturers or bankers by seeing, in a deep woodland, the God Pan — or Priapus — peeping round beside the trunk

of an ancient oak. I daresay that may be something like it. At any rate if the God Pan did look at one round a trunk one might well feel as one felt when the something that was not merely eyesight peeped out at you from behind Lawrence's eyes.

For that was really what the sensation was like—as if something that was inside—inhabiting—Lawrence had the job of looking after him. It popped up, took a look at you through his pupils and, if it was satisfied, sank down and let you go on talking. . . . Yes, it was really like that: as if, perhaps, a mother beast was looking after its young. For all I know it may have been that. Lawrence was extraordinarily—even to his detriment, I imagine—subservient to his mother, who would seem to have been a commonplace woman except for a jealousy that almost agonizedly transcended ordinary jealousies. I did not meet her but gathered as much from Lawrence's conversation about her. He talked about her and her opinions in a way that is unusual in young men out to make their fortunes.

On the other hand I did meet his father, from whom Lawrence seemed rather to shrink. He shrank from him, that is to say, in an official sort of way as if he had for so long been told to consider his father a disreputable person that he took it for granted that I or anyone else who came in contact with him might consider that Lawrence himself lost caste by having originated from any one of the sort. I think he was wrong. His father seemed by no means commonplace. He certainly drank . . . or no, he got drunk at times. But he exercised a good deal of influence over his mates in the mine and he was very ingenious with tools in his hands . . . and happy with them. That is in itself evidence of a creative gift such as

in the next generation may become anything. It was probably not for nothing that the father of Jesus was a carpenter.

The darkest passage of his career and one that was as much as possible concealed was the fact that early in life he had conducted a dancing floor or saloon—or possibly a dancing floor in a saloon. Lawrence in mentioning the matter glanced at it so sideways that I had not the heart to try to find out from him what sort of an establishment it was. For what sort of dancing would there be in a modern, rather mushroom mining suburb of an old agricultural city of the Midlands in England? . . . I imagined it must have been something rather reckless and abandoned, resembling what took place in Poker Flat, Nevada.

In any case that early occupation of the father would seem to have been unknown to the mother at the time of the marriage and to have caused her infinite pain when at last the dark secret leaked out . . . pain that caused Lawrence, looking as it were from beside his mother's apron, to conceive almost a horror of his father . . . as if his father had struck her. For in the household the mother was regarded as a "lady". She had been the daughter of some sort of, I think impoverished, shopkeeper. . . . It astonished me at the time that it should be considered—and still more that it should be considered by Lawrence himself—that a shopkeeper was the superior of a miner, for it seemed to me that anyone who could do things with his hands was a producer and so akin to the artist, whereas the shopkeeper was relatively effeminate and parasitic. But at any rate in those days Lawrence considered himself rather shudderingly as the product of a martyred lady-saint and a savage lower-class father. As far as it was given to him to do so, he oriented his

thoughts and his character along the lines that would be approved by his mother and those in similar circumstances. And he seemed to have, in consequence, an interest and an appetite in "things" such as few young artists can have had. I remember his expressing a satisfaction that seemed to me to be incomprehensible over the fact that his mother's house — which seemed to me to be like any other miner's cottage — had something — a double passage or an alcove on the stairs, I could not quite understand what, that none of the other miners' cottages had. But it ceased to seem incomprehensible when I understood that that satisfaction was not merely because that special appendage raised him above the other miners' sons; it was that it was, as it were, a proper homage that destiny paid to his suffering, exiled-patrician mother. At any rate it had given his mother infinite satisfaction as marking her off from the other miners' wives. In any case the house was at the end of a row of cottages, giving on fields and, what was an almost greater cause for satisfaction to the children, its patch of garden was larger and more private than that of any of the other cottages. And they paid sixpence a week more rent for it. There were always pansies and Michaelmas daisies and wall-flowers in the garden, according to the season.

The importance of these things in the childhood of a man who afterwards became himself so important and so tortured, should not be underestimated.

III

The perturbation that his sudden appearance caused me on that particular day lasted only a moment or two — and a similar perturbation and dying down of

the emotion attended my every meeting with Lawrence, even if I met him twice on the same day at fairly short intervals. For the young man that succeeded to the fox appeared to be a rather keen, North Country or Midland, normal, puritanish businessman. Of that type! . . . I mean that always, at first, for a second or two, he seemed like the reckless robber of hen-roosts with gleaming eyes and a mouth watering for adventure and then, with the suddenness of a switched off light, he became the investigator into the bases of the normal that he essentially was.

He told me later that what had passed through his mind as he had stood looking down on me was that there was nothing in particular to be shy about in the placid-looking elderly gentleman with his efficient-looking secretary. He had naturally been shy enough coming up in the Croydon train. Yet they sat there in a very unexciting, old-fashioned sort of a room. . . . He had not yet come to regard Chippendale as "antique". . . . And there really had run through his mind the idea that he might be able to make something out of them.

For it must be remembered that, all his life through, he considered that he had a "mission". As to its exact nature in those early days he was more than a little vague and I do not know that, in later years, he had any settled program for his missions. But missionaries of a non-conformist revival type had been normal if notable figures of the landscape of his boyhood and the idea of a man moving among and affecting the mentalities of crowds was a part of his mental paraphernalia. Moreover, it was in the tradition of the English standard writer. And he was tremendously up in the traditions of the standard writers. I have never known any young man of his age who was so well read in

all the dullnesses that spread between Milton and George Eliot. In himself alone he was the justification of the Education Act, the passing of which, a decade or so before, had split all England. He was, that is to say, the miner's son with nothing but pennies to spend on his education . . . and he moved amongst the high things of culture with a tranquil assurance that no one trained like myself in the famous middle-class schools of the country ever either exhibited or desired.

Well, I told him what he had done in writing *Odour of Chrysanthemums* and he listened without much emotion to what would have sounded like extravagant praise to almost anyone else. And I more or less predicted to him what he would do. Over that he was a little more restive. I suppose that, intent on exploring the lives of artisans, I was inclined to prescribe to him a course of working-man novels, the idea of which he found oppressive. He wanted to try his hand at something more romantic and with more polished marble and gold and titled people among its furnishings.

I obviously could not blame him for that. A young man brought up in his circumstances would be less than human if he was not determined to have for himself two thousand a year and footmen and the intimacy of lords and, particularly, ladies. And you cannot make good novelists out of young men who are less than human. They will not understand the mainsprings of humanity.

On the other hand, Lawrence had inherited or imbibed from his mother a liberal share of puritanism and those two forces fought an unceasing battle in him. His father no doubt fighting his mother. For, for all I know, two beings may have looked out of Lawrence's eyes — a father-spirit who hoped you would put a little

devil into him and a mother-spirit that dreaded that you would lead him outside the chapel-walks and persuade him not to wear flannel next his skin. It was no doubt something like that. . . . But at that day, in my room, it was, I imagine, the mother-spirit that prevailed within him.

He wasn't at any rate going to take any material chances without weighing them very carefully. There he was in his teacher's job at Croydon, secure, making what he considered to be remarkably good money. Forty shillings a week. More than his father had ever earned and he was only twenty-one. And with sufficient hours of freedom during which he could write. He had to perform his mission: he had to write. So that there he was, to use a later phrase of his own, inside the cage. He would have to think twice before anyone persuaded him to get out.

For before that first interview had ended I had begun lightly to persuade him to get out. It was quite obvious to me that here was a young fellow who ought to write, who, indeed would write, so the sooner he got to it the better. One would have to find some way for him. I was never one to be afraid of taking on responsibilities.

He shied a bit at that, plunging away as if he had been a startled colt from a too attractive novelty. It wasn't that the two thousand a year and establishment and titled company were not as real to him as his life in the cage. He felt himself as sure of the one as of the other. He was going to have them when the time came as certainly as he was going to have his next week's and all the ensuing weeks' salary from the Croydon School Board. He was quite tranquil about *that*.

And, before he had seen my office, he had made up his mind that I was the per-

son who was to effect that translation. But the office had given him a bad shock. It hadn't seemed the proper frame for a person with influence, wealth, and the acquaintance of the titled. His own acquaintance with the world had been very limited and he imagined an Office, to be reassuring, must resemble the office of the colliery company for which his father worked — the handsomest, brick and shining granite building in the valley, with counters and swing-doors and brass and the clink of coins unceasing on the air.

So it had occurred to him that, even if he did take command of that ship of mine, there might not be behind it enough money to make the transition from his safe schoolmastership very advisable. . . . That was Lawrence — a continual fight between the jovial pirate father and the cautious, disapproving, non-conformist, pale mother, going on all the while in the very current of his thought. And the struggle went on within him to the end of his life, though towards the end he was inclined to give his father altogether best. That alone should be sufficient to give the lie to those lugubrious, Freudian-psychoanalytic souls who try to explain the Lawrence riddle by asserting that he was obsessed by a mother-complex. He wasn't. He was a little boy who had been sickly and who had had of necessity to depend on his mother for all the comfort and good things of his life whilst he was told that his father — who got drunk — by that deprived him of the new pair of shoes that he wanted for Sundays. . . . If you have, in addition to that, complexes of an esoteric aspect, you had better explain him along the lines of Amen-Ra, the Egyptian All-Father-Mother, who united in Himself the male and the female properties so that He was at once His own father and mother and His own wife . . . and hus-

band. And His own children who were the other hawk, bull, and cat deities of Egypt. And it is better to regard Lawrence's own preoccupation with sex and its manifestations with the same composure. As a mother-suppressed child in a non-conformist household he was shut off from the contemplation of all natural processes to such an extent that, when he grew to have control of himself, he was full of perfectly natural curiosities and, since he happened to be a writer, it was in the writing of speculations that he took his fling. If he had been a banker or a manufacturer he would have found other derivatives. As a child I was inhibited from ham and cream by a careful mother who considered them too expensive. So, when I came to man's estate, I indulged in orgies of ham and cream until for years I could not bear the sight of them. Now again I rather like cream but can do without ham unless it is the very best Virginian, such as one only comes across once every four years or so. Lawrence had the misfortune to become conscious of life in London and in a class in London that by a sort of inverted puritanism insisted that a sort of nebulous glooming about sex was a moral duty and a sort of heroism. That did not help him much. What he would have been if those influences had not bulked so largely on the horizon of his youth it is difficult to say. And it does not very much matter. He was good enough as he was. He had a white flame of passion for truth.

IV

I cannot say that I liked Lawrence much. He remained too disturbing even when I got to know him well. He had so much need of moral support to take the place of his mother's influence that he kept one

—every one who at all came into contact with him—in a constant state of solicitude. He claimed moral support imperiously—and physical care too. I don't mean that he whined. He just ordered you to consider that there he was in Croydon subject to the drag of the minds of the school children for hours of every day in a fetid atmosphere. . . . And that is the great curse and plague of the schoolmaster's life . . . the continuous drag of the minds of the pupils pulling you down . . . and then with the tired mind to write masterpieces in the odd moments of silence.

And then came the scourge! He was pronounced tubercular. I don't know how we knew that he had been so pronounced. I don't think he ever mentioned it to me; perhaps he did not to anyone. It was a subject that he was always shy of mentioning. But Galsworthy and Masterman and even the solid, stolid Marwood—and of course several ladies—went about for some time with worried faces because Lawrence was writing masterpieces and teaching in a fetid atmosphere. He had to be got out of it. He ought to be allowed to resign his job and be given a pension so that he could go on writing his masterpieces. That was where Masterman, who was a Minister of the Crown and supposed to be scheduled as the next Liberal Prime Minister, came in. He was to use his influence on the educational authorities to see that Lawrence got a pension as having contracted tuberculosis in the service.

Alas, alas. Croydon was not within the Administrative County of London. The London County Council gave pensions to invalided schoolteachers. But the Kent County Council did not. Not even the Crown could coerce a County into doing what it did not want to do. . . . In the

end, I think he was allotted a small lump sum. But one had had a good deal of anxiety.

There had been no difficulty in finding a publisher for him. The odd, accidental, as if *avant la lettre* notoriety that he had gained at the Trench dinner, made several publishers be anxious to compete for his suffrages. They even paid him good little sums for his first books. He didn't have then, if ever, any very serious difficulties. And the London of those days was a kind place to people who were reputed to be writing masterpieces. There were kind, very rich people who asked nothing better than to be nice to young men of gifts. So that in a very short time Lawrence was writing home exultantly that he had dined with two Royal Academicians, several *Times* reviewers, Cabinet Ministers, and Ladies of Title, galore, galore. I don't mean that the exultation was snobbish delight at mingling with the Great. No, it was delight at seeing himself by so far on the road . . . towards the two thousand a year. . . .

In the course of a good many Saturday afternoon or Sunday walks in the Gardens or Park, there came home to me a new side of Lawrence that was not father-mother derived—that was pure D. H. It was his passionate—as it were an almost super-sex-passionate—delight in the opening of flowers and leaves. He would see in the blackish grass of Kensington Gardens a disreputable, bedraggled specimen of a poor relation of the dandelion whose name I have forgotten. . . . Oh, yes, the coltsfoot—the most undistinguished of yellow ornaments of waste places and coal dumps. . . . And immediately Lawrence, who had been an earnest *jeune homme pauvre* with a fox-colored poll, drawing wisdom from a distinguished, rather portly Editor, would become a half-mad,

woodland creature, darting on that poor thing come there by accident, kneeling before it, feeling with his delicate, too white and beautiful fingers, the poor texture of its petals. And describing how, the harbinger of spring, it covered with its sheets of gold the slag-heaps and dumps of his native countryside. . . . With a really burning language!

And it was not the starved rapture of the Cockney poets to whom flowers were mysteries. He knew the name and the habits and the growths of every flower of the countrysides and of stoats and weasels and foxes and thrushes. Because of course Nottingham, for all its mining suburbs, was really in and of the country, and a great part of the time—the parts of his time when he had really lived—had been spent on the farms that surrounded his home. . . . That, of course, you can gather from his books. . . .

Above all from his books. The nature-passages of the ordinary English novelist are intolerable—the Dartmoors and Exmoors and Woodlands and the bearded tits and comfrees and the rest. (I am not talking of naturalists.) But the nature-passages of Lawrence run like fire through his books and are exciting—because of the life that comes into his writing even at moments when he is becoming rather tiresomely introspective. So that at times when you read him you have the sense that there really was to him a side that was supernatural . . . in tune with deep woodlands, which are queer places. I rather dislike writing just that because it sounds like the fashionable writing about Lawrence which gloomingly identifies him with Pan—or Priapus or Pisces or phal-luses—which you don't find in Nottinghamshire woodlands. . . .

Well. . . . He brought me his manuscripts—those of *The White Peacock* and

Sons and Lovers. And he demanded, imperiously, immensely long sittings over them . . . insupportably long ones. And when I suggested breathing spaces for walks in the Park he would say that that wasn't what he had sacrificed his Croydon Saturday or Sunday for. And he held my nose down over this passage or that passage and ordered me to say *why* I suggested this amendment or that. And sometimes he would accept them and sometimes he wouldn't . . . but always with a good deal of natural sense and without *parti pris*. I mean that he did not stick obstinately to a form of words because it was his form of words, but he required to be convinced before he would make any alteration. He had learned a great deal from reading other writers—mostly French—but he had a natural sense of form that was very refreshing to come across—and that was perhaps his most singular characteristic. His father was obviously not a dancing teacher and minor craftsman for nothing.

And then one day he brought me half the ms. of *The Trespassers*—and that was the end. It was a *Trespassers* much—oh, but much!—more phallic than is the book as it stands and much more moral in the inverted-puritanic sense. That last was inevitable in that day and Lawrence had come under the subterranean-fashionable influences that made for Free Love as a social and moral arcanum. So that the whole effect was the rather dreary one of a schoolboy larking among placket holes, dialoguing with a Wesleyan minister who has been converted to Ibsen. It gave the effect that if Lawrence had not met that sort of religion he might have been another . . . oh, say, Congreve. As it was it had the making of a thoroughly bad hybrid book and I told him so.

I never saw him again . . . to talk to.

But he did, in successive re-writings, change the book a good deal . . . at least I suppose there were successive re-writings. . . . And I suppose I hurt his feelings a good deal. Anyhow I am glad I did not have to go through his manuscripts any more. I don't — and I didn't then — think that my influence was any good to him. His gift for form — in his sort of long book — was such that I could suggest very little to him and the rest of his gift was outside my reach. And, as I have said, he is quite good enough as he is — rich and colored and startling like a medieval manuscript.

The last time I saw him was during the war when, of course, he was a pro-German and was supposed to be a good deal persecuted. That is to say, Authority — in the shape of the Minister of Information — was afraid that he was being persecuted and I was sent down to see what could be done for him, Mrs. Wells — who was as worried as anyone else about him — kindly driving me the thirty or forty miles down into Sussex where

Lawrence had been lent the house of Mrs. Meynell, the poetess. . . . But I was not talking without the book when I said that I never saw him again to talk to. The Gods saw otherwise. For the moment we arrived at that pleasant place, Mrs. Wells, who was very small, and Mrs. Lawrence, who resembled the Germania above the Rhine at Rüdesheim — fell into a discussion as to the merits of the Belgians. And, as Mrs. Lawrence saw fit to address, on the side, unfavorable remarks to the uniform I was wearing, I thought it was better — because I *was* there to make a report to Authority — to retire to an out-house and await the close of the discussion. So that the last image I have of Lawrence is his standing there, a little impotent, his hands hanging at his side, as if he were present at a dog fight in the beautiful, white-walled, shady, aesthetic room of Mrs. Meynell. He was smiling slightly, his head slightly bent. But his panache, his plume of hair with the sunlight always in it — and his red beard — were as disturbingly bright as ever.



PORTRAIT OF A CERTAIN LADY

BY SARA HENDERSON HAY

MADAME has put to shame the prophet's verse;
 She is, I think, a very silken purse.
 From what materials evolved, and how,
 The lady's not inclined to mention now.
 She keeps a regal manner in employ,
 An exquisite disdain for *hoi polloi*,
 Poor honest swine she finds it such a bore
 To cast, at times, her cultured pearls before.

THE SEC DICTATORSHIP

BY ROBERT E. KINTNER

A LARGE section of the American public, having forgotten the giddy days of 1929 when everyone had a thumb in the Wall Street pie, now looks with dreadful suspicion upon anyone who makes a living in the world of finance. The fact that a man sells bonds or trades stocks is considered plausible if not indubitable proof of his unfitness to mingle with law-abiding citizens. In other words, he is a shady character, and as such he should be abused, goaded, and regulated in a manner calculated to make a Ukranian commissar sit up and take notice. For this reason, the federal Securities and Exchange Commission, with its countless laws and restrictions upon finance, stands apart from other New Deal chautauquas as the one freest from public criticism. It has been variously acclaimed as a guarantor of corporate purity, an influence for ethical trading, a safeguard against thimble-rigging, and the ultimate nemesis of every broker who ever scalped a questionable eighth. Indeed, the SEC, riding a wave of public adulation, is no longer looked upon as a temporary stop-gap agency, born of despair and the Depression, but as a permanent governmental establishment of high social and economic purpose.

It is difficult, however, to reconcile any nobility of purpose with the present discretionary authority of the SEC, which permits its officials to act as plaintiff, witness, prosecutor, judge, and jury. It is necessary only to examine the pages of the Securities Act of 1933, as amended, as well as the

Securities Exchange Act of 1934 to comprehend the vast autocratic powers now concentrated in the hands of five political appointees in Washington. They decree, by fiat, the sort of information that must be supplied by virtually every American and foreign corporation desirous of selling new securities to the public. They stipulate how much information must be divulged by concerns seeking to trade their offerings on an organized exchange. They ordain the manner in which the information is to be circularized, and whom it shall reach, and why. They determine every condition under which new securities are to be placed on the market, or old ones traded, whether the transaction involves the highly-active transfers of the exchanges or the slower negotiations of the over-the-counter markets. In brief, all security business which comes under "interstate commerce", that comprehensive term enshrined in the heart of the Roosevelt Administration, must be controlled, regulated, restricted, and regimented by the SEC. There is no escape for the corporative victim save by means of suppliant negotiation or constitutional tests.

Now the philosophy of traditional American government is obviously not displayed here. On the contrary, when the window-dressing is removed, the SEC stands exposed and vulnerable to many justifiable criticisms. For it is more than the concept of a federal agency enmeshed in red tape, delayed decisions, and divided authority, which has become so dismally familiar in

New Deal circles during the past three years. It contains a potent possibility of regimented dictatorship of the most superlative order, in which all the inherent rights of individuals to engage in business can be tossed overboard, weighted with the wreckage of the legal structure which has, for 150 years, been the support of the American system of government.

When the SEC took its place among the Washington alphabetical creations some two years ago, its task was to assume the administration of the Securities Act of 1933 and the newly-amended Securities Exchange Act of 1934. At the time, the 1933 act, through ambiguous phraseology and impractical operation, had virtually eliminated the market offerings of new securities. Its restrictive effect had been heightened by the Federal Trade Commission, which had bungled what little discretion the law allowed. Thus, the Roosevelt Administration was forced to amend the Securities Act, the selfsame law which had been hailed at birth as the means of bringing gospel truth to the sale of new securities and of achieving a new legal principle — let the seller beware. The companion measure to the reform, the Securities Exchange Act, was designed to eliminate undesirable practices in trading.

With this move, Congress decided to replace the Federal Trade Commission as the administrative agency, and in its stead created the Securities and Exchange Commission, composed of a personnel of five, with jurisdiction over the two great security laws. Oddly enough, this concentration of life and death powers over the brokerage system of America was not vehemently attacked at the time or even widely criticized. On the contrary, the restrictive legislation was received, in business circles, with an apathetic silence. But the passage of time has brought about a vast change in opinion.

It is evident today that there are two inherent dangers in federal regulation of the security business. First, the false sense of safety created in the stock and bond buyer, who believes that his purchases are guaranteed by the government. Some occult power, it would seem, enables crystal-gazing members of the Commission to judge between cat-and-dog stocks and reputable offerings. Most of the blame for this misconception rests on the orators of Congress, who in 1933 and 1934 bellowed that malpractices rife in the late 'Twenties would be ended automatically by government control. Part can be traced directly to the SEC, whose clerks and smaller fry were imbued with an articulate crusading spirit which the hard-boiled attitude of the first chairman of the Commission, Joseph P. Kennedy, could not erase. And part can be traced to the public statements of officials who envisaged the day when the SEC's efforts would result in the average security buyer gauging his investments not by tips of Wall and LaSalle Streets, but by a "scientific" knowledge of corporate affairs.

The second danger, however, is the more real, and therefore the more potent. Bureaucracy is a charge levelled so often against the Roosevelt Administration that it has lost force through sheer repetition. But that word succinctly describes the future of the SEC. Analysis of the methods of the Commission makes certain conclusions inescapable. Its powers stem from the dreams of the Corcorans and Cohens of a day when government bureaucracy will be complete master of personal initiative. Five minor exchanges have already been forced out of business; small brokerage firms in every city are being harassed by federal restrictions. Bright young men from the New Deal seminary are striving to control every action of the individual in the security business. A new and complete monopoly of all

security trading is developing. Hence, the next step seems, by reason and logic, to be inevitable. This is, simply, federal ownership.

II

There are two classes of persons in the security business — over-the-counter brokers and dealers who carry on trading away from the exchanges, and members of the exchanges who have various functions in the mechanism of an organized market. Over each class, the SEC stands as plaintiff, witness, prosecutor, jury, and judge, with the power to bar from business those who violate the Washington dictates.

The Securities Exchange Act, section 15, prohibits over-the-counter brokers from engaging in business in contravention of rules and regulations of the Commission, including those for "registration with the Commission of dealers and brokers making or creating" the market. From this one sentence of wide authority, the SEC has assumed the position of dispenser of death sentences upon between 5000 and 10,000 over-the-counter dealers, thieves and honest men alike, and in the assumption of this power has in effect written a federal statute, an authority formerly exercised only by elected legislators.

The law makes no mention of the standards which the SEC must observe in registering or licensing dealers who come, application in hand, to seek permission from the government to continue in their own business. It makes no mention of revocation of a registration, failing to explain in any particular the grounds on which the SEC may declare the conduct of any broker to be such that he has no place in security trading. Last fall, however, the SEC did promulgate rules of registration specifying that a registration may be refused:

(1) if willful misrepresentation or concealment was made on the application or in any "application, report or document" submitted, or in "any proceeding" before the Commission with respect to the application; (2) if the applicant has been convicted within ten years preceding the filing of the statement of any felony or misdemeanor involving the purchase or sale of a security or "arising out of the conduct of the business of a broker and dealer"; (3) if the applicant is "permanently or temporarily" enjoined by any court of competent jurisdiction, through judgment entered within ten years preceding the filing of the statement, from engaging in any conduct or practice connected with the purchase or sale of a security.

The SEC to date has registered more than 5000 brokers and dealers, and in the process a small percentage (the exact figure is still secret) were refused registration and thereby permanently barred from doing business. The decisions were reached behind closed doors. The procedure was closely guarded. Later, it was admitted that registration was authorized to some applicants who had been convicted of felonies and misdemeanors while engaged in the security business. In other words, the Commission decided to be a self-appointed judge of whether a past violation of law was a mere slip, coming by chance to the best of men, or whether it represented shady business principles which might well be carried over into operations under the jurisdiction of the federal government.

For example, one dealer was convicted of using a customer's securities to bolster his own account. With a falling market, the securities were wiped out and he was sentenced to jail. On release, his conduct was exemplary, so the Commission decided he was a "good risk". In contrast, a dealer whose career was dotted with a string of

convictions, the SEC reasoned, should not be allowed to continue in business. Now it is natural that the public should consider this procedure an eminently fair one, designed to keep crooks from the telephones and to halt their persuasive talk, which has cost the investing public millions of dollars since the World War. But it is highly questionable to advance a theory that atonement for crime does not end with serving the court penalty.

Let it be emphasized again that the hearings of the SEC are closed to the public. There is no evidence of legal protection for the applicant, such as the American judicial system has created through principles of common and statutory law. The Commission sits as judge, interpreting law which it has itself devised. It also appears as plaintiff, witness, and prosecutor, for its lawyers and investigators make the complaints, gather the records, and offer testimony. None of the customary rules of evidence can be urged by the defense. The applicant's only appeal, on refusal of registration, is to a higher court; his only defense the constitutionality of the law. All the standards involved are created by the Commission as a legislative body, and all are enforced by the Commission as judge and jury.

In February of this year, with the broker-dealer registration rules in effect, the Commission petitioned the appropriate committees of Congress, asking that the legislature enact into law the regulations which the Commission so shrewdly had put into effect on its own initiative. At the present writing this legislation is pending. Of course SEC officialdom shies from any suggestion that the projected laws may have some connection with a test case now on its way to the Supreme Court.

Moving along in consideration of the Commission-made standards, the SEC carries its dictatorial powers beyond initial reg-

istration into the field of revocation of registration. A registration may be cancelled at any time on the same grounds on which it might originally have been refused. The SEC has added, however, other reasons: violation of the two federal security laws; or exercise by the registrant of "any fraud or any fraudulent practice in the conduct" of his business. There is a provision for hearing the charges, but no stipulation that the hearing will be public. There is no guarantee as to procedure, no provision that the inherent rights of individuals will be followed when the five justices sit down for deliberation of their own laws. Perhaps the old idea of a fair trial by a jury of one's peers is too archaic for the Modern Messiahs of the Uplift. But the system was certainly a beneficent one — while it lasted.

III

That there is not a similar flagrant disregard for traditional legal procedure in the New Deal jurisdiction over members of a stock exchange is due to the fact that the act was written around the exchanges themselves. Consequently, the line of discretion left to the Commission is more limited. There is present, however, the intermingling of divergent functions, usually segregated in courts of law.

Stock exchanges, ever since the first traders organized under the buttonwood tree, have assumed the authority to discipline members. The exchange act carried over this power to the SEC, which may suspend or expel a trader. The test is applicable to any member who violates either the exchange act *or* any rules of the Commission: or to any member who effects transactions for another person whom the exchange member "has reason to believe" is violating the exchange law *or* any rules of the Commission.

An example of SEC procedure may serve to emphasize the plaintiff-prosecutor-witness-judge-and-jury role which is the Commission's contribution to American jurisprudence. Michael J. Meehan, a member of the New York Stock Exchange, the New York Curb Exchange, and the Chicago Board of Trade was reputed to be what once was known as a Big Operator. On October 26, 1935, the SEC announced, shortly before the market closed, that it was calling upon Mr. Meehan to show cause why he should not be suspended or expelled from his exchange memberships, because the SEC "had reason to believe" that charges should be brought against him for alleged manipulation of Bellanca Aircraft Corporation stock on the New York Curb Exchange. The show cause order was voted by the full Commission in Washington after extended investigation by their New York regional force which, partly by subpoena and partly by "request", secured from brokers, customers' men, and friends of Mr. Meehan the background for the allegations.

In an attempt to give the hearings a note of impartiality, the Commission summoned the administrator of its Atlanta office to act as trial examiner. It must be kept in mind, nevertheless, that the five Commissioners, acting as plaintiffs, had voted the complaint, and that the New York investigating lawyers were brought to Washington as prosecutors and witnesses. And though the trial examiner obviously tried to be fair, Mr. Meehan was allowed none of the legal protection which would have been extended him by any court—simply through the contention that the Commission was seeking "facts". Traditional legal procedure had to be revised to meet this objective. It was to no avail that Mr. Meehan's counsel filled the record with objections on admissibility of evidence.

The belligerence of the principal SEC

attorneys was reminiscent of the police courts. The atmosphere was one of guilty until proved innocent. It was the first major case of the Commission on a manipulation charge. Obviously, its lawyers were prepared to show that they had chosen well. But there was lacking the judicial air which one would expect to attend a decision on whether a man could continue in his own business.

At this writing the defense has not yet been heard. Under SEC procedure, the trial examiner, after the defense is completed, will file a report to the full Commission, a report which may include his conclusions as to the verdict. The Commission, with that report and the record of the hearing, must either conclude that it acted correctly some months before in voting the show cause order, or that it made a serious error in judgment and damaged the reputation of an innocent man. Having served in person or by agent as plaintiff, prosecutor, and witness, this extraordinary Commission of many talents next performs a quick-change act into the ermine and proceeds to take the role of judge.

Even the most ardent proponents of the SEC will admit that there is concentrated in the hands of the five members a power rarely equalled in any government agency. But believing that the SEC is an outstanding social and cultural contribution of the New Deal, these advocates emphasize that the personnel of the Commission is such that its discretionary power will not be subject to abuse. This is generally the reaction even of brokerage interests, once openly bitter on the subject of federal control. In other words, the King is good, long live the King.

Now, no one would question the honesty of James M. Landis, present chairman, and his colleagues. But there is no assurance of their continuance in office. The ap-

pointments rest in the White House. The terms are relatively short. As the newness of the agency wears off, the selections likely will assume the tinge of political patronage, present in appointments of other governmental officials. The possibility of Mr. Landis remaining in office over an extended period is doubtful. In less than two years, Mr. Kennedy, the first chairman, and Mr. Ferdinand Pecora, an original appointee, have resigned. There will inevitably be changing personnel, a just cause of brokerage worry, particularly because the more efficient officials are lured away by private business, making way for those less able. Already, there has been an exodus of the smaller fry, leaving behind those who prefer the certainty of government employment.

There is also a definite recognition in Commission circles that the passage of time is adding to red tape, which so entangled the previous administration of the Federal Trade Commission. A high SEC official, recognizing the danger, said recently:

If I had my way, the government would abolish all commissions, all agencies, every seven years. I see administrative dangers in the Securities and Exchange Commission already.

Moreover, confronted by the thousands of questions created by laws which lack statutory standards, the SEC course is noticeably faltering; its actions are moving away from the speedy operation of earlier days, when the field was new and the problems ones of groundwork. There is, too, a growing impatience on the part of business at the plodding pace. The Commission, it may be said, is trying to avoid the eventuality, but the weight of a thousand employees, trying to exercise full jurisdiction over thousands of brokers and millions of transactions, is being felt.

In fact, the SEC is now engaged in amass-

ing the most intimate details of how each leading American corporation is operated. Of particular public curiosity are the disclosures of the salaries of officials in these concerns. The Securities Exchange Act contains a provision that a company, in supplying such information, has the right to mark it "confidential", pending appeal to the Commission that a disclosure is not in public interest and will bring harm to the corporation involved. Well over 200 companies have made these pleas. Yet by creating somewhat of a new theory, *i.e.*, that not only stockholders of a company but also the public at large is entitled to know sales costs, salaries, and other pertinent information, the SEC has turned down the bulk of the petitions and published virtually every fact gathered, on the ground that the corporate fears are exaggerated and that an investor is unable to choose his investments without the complete picture. This action constitutes one more evidence of the Commission's extraordinary power. Several companies are testing this authority, but the great majority of corporations have been unwilling to start upon the long and expensive path to the Supreme Court.

IV

To understand the real motivation behind the federal government's regimentation of the security business, it is well to keep in mind that while agitation for Washington control had existed for over twenty years, it was not until 1933 that public attention was sufficient to make a series of statutes politically desirable. Mr. Pecora, the former New York prosecutor, had attacked not only fraudulent operations of the illegitimate dealer, which state attorneys-general and Better Business bureaus had excoriated for years, but had also disclosed, in his extended Senate investigation of

banking and stock market operations, a widespread malpractice, condoned by respectable brokers and exchanges. Notwithstanding that much of the abuse could be traced to social and economic acceptance of the quick money-making attendant on a boom period, new laws were promulgated. And laws written at the height of this public revulsion, ranging from contempt to anger because insiders had reaped profits at the expense of fellow-stockholders and employees, were destined to fail. Individual rights fall at the wayside when crusades toward Utopia get under way.

Hence, there was fear in brokerage circles at the inception of the SEC that the methods of the OGPU might be duplicated by the multitude of agents that began to descend on Wall Street. In some cases, the attitude of employees of SEC regional offices increased this concern. Only recently the Commission recognized the contention of New York brokers that investigators were "cluttering up" their offices, through substitution of questionnaires for the personal visits of the agents bent on innumerable inquiries.

Furthermore, one need only glance at another federal agency, the Federal Communications Commission, with powers not as great as the SEC, to comprehend how political currents can permeate Commission operation. The wide powers of the FCC have been used by Senator Black of Alabama to ferret out telegrams of all sorts, with the view to utilizing them in the Senate investigation of lobbying. Without use of accepted legal procedure, the Senator was thus able to read all telegrams coming into Washington, selecting those useful to his purpose. It was search and seizure of the boldest sort, through use of a Commission supposed to be nonpartisan.

The SEC is not an emergency agency, and it is difficult to attack because of a

universal public dislike for the stock crook. But its procedure, its sweeping and completely discretionary authority, indicate one more step toward the fulfillment of Dr. Tugwell's dream of a regimented America in which the idea of personal liberty will be as outmoded as the democracy of which it is now so sturdy a support.

V

There are, of course, alternatives to commission-made law and to a federal control of security trading, responsive only to the appointive power of the White House. One such alternative consists of self-regulation through the stock exchanges and through the organizations of over-the-counter brokers and dealers. Judged by past practice, however, this type of restriction is inadequate. Stock exchanges have always exercised the right of business life or death over their members. Yet during the boom days, from the New York Stock Exchange down to the smallest of security market officials, scores of men were guilty of gross neglect of their duties. Stock manipulation was rife. Even the most respectable brokers were guilty of the most flagrant disregard of protection for the individual security buyer. The "house" always won and the public was damned so long as commissions were ringing the cash register.

Even more inadequate has been the regulation by over-the-counter organizations of their own members. Lacking the power to revoke the right of a member to do business, these associations have made and could make little progress in the way of comprehensive avoidance of unethical standards. It is true that under the defunct NRA the nation-wide code committee did much to publicize the first national standards for this type of brokerage business. But self-regulation, whether by exchanges or by over-the-

counter organizations, if experience is any judge, is not the answer to the problem of eliminating the stock crook.

The other alternative is the substitution for present discretionary security laws of a strict and stringent statute, clearly outlining federal restrictions. There would thus be no leeway for a commission empowered to write its own law. There would be no mixing of the obligations of plaintiff, prosecutor, witness, judge, and jury. Like a criminal and civil code, the federal "don'ts" of the security business would be in permanent statute, subject to change only by an elected legislature. Enforcement would lie not in an appointed federal agency, nullifying individual rights and confused by a variety of social purposes; rather, the judicial system would offer the means of enforcing the law. Prosecution would be made by federal attorneys, and trials would be held before judge and jury. In brief, law-enforcement would be returned to the proper authorities. Then and only then could the defendant accused of violating ethical security practice be given the protection which is a matter of course even for hardened criminals who kill and steal.

New Dealers, of course, point to this very argument as a justification for arbitrary power. They scoff at the American judicial system as a means of control for security trading; they point to a myriad of cases where the guilty escape punishment through the legal intricacies of the courts. Yet the choice of the alternatives is clear. The answer is apparently a lesser of two evils. On the one side five persons, who act as legislature, prosecutor, witness, judge, and jury, with the individual forced to accept their decisions unless he has the inclination and the funds to carry the fight to the Supreme

Court. On the other side is strict legislature-made law, enforced by federal attorneys and ruled upon by judges and juries.

Unhappily, strong brokerage interests will not fight for security control of the second type. Since 1933 they have reasoned that pressure exerted upon federal commissions is the most efficient method of securing restrictions patterned to their ideas. By and large they support the theory that the honesty of the SEC personnel is the guarantee of their protection.

Yet in an opinion on the Jones case, on April 6 of this year, the majority of the Supreme Court pointed out the inherent dangers in the Commission's operation. The Court said:

The action of the commission finds no support in right principle or in law. It is wholly unreasonable and arbitrary. It violates the cardinal precept upon which the constitutional safeguards of personal liberty ultimately rest—that this shall be a government of laws—because to the precise extent that the mere will of an official or an official body is permitted to take the place of allowable official discretion or to supplant the standing law as a rule of human conduct, the government ceases to be one of laws and becomes an autocracy. . . . The fear that some malefactor may go unwhipped of justice weighs as nothing against this just and strong condemnation of a practice so odious. And indeed the fear itself has little of substance upon which to rest. The federal courts are open to the government; and the grand jury abides as the appropriate constitutional medium for the preliminary investigation of crime and the presentment of the accused for trial. The philosophy that constitutional limitations and legal restraints upon official action may be brushed aside upon the plea that good, perchance, may follow, finds no countenance in the American system of government.



OLD SISSY STIFF-LEGS

BY MARJORIE MARKS

TUESDAYS and Fridays at exactly 3:58, rain or shine, Mrs. Hartz turned the corner from Broadway into our street. Fresh-washed and combed against her advent, I would press my nose to the window-pane and with a sort of fascinated distaste watch her approach like a genteel doom. Why, I would complain bitterly to myself, was it my lot to take music lessons from a freak like Mrs. Hartz? In the first place, she seemed to me so old — she must have been about forty-five or so — and then there were her clothes. Summer and winter she dressed in unrelieved, rusty black. Other people's clothes could be analyzed into their component factors of coat, skirt, blouse, and so on, but not the garments of Mrs. Hartz, which, defying analysis, flowed into each other in amorphous and mysterious gloom. From the towering complexity of her toque — which she wore with the majesty of a crown — hung a deep-bordered mourning veil, an everlasting tribute to "poor Mr. Hartz". There was about the veil's voluminous folds a hint of Tenniel's Duchess illustrations in *Alice*, which contrasted oddly with her air of hailing from a more somber, a more romantic world than ours. She wore black cotton stockings and black buttoned shoes and black silk gloves. Her leather music roll was black, too. Even to my resentful eyes, she was an impressive figure.

My friends on the block, with whom I played tag and hopscotch, knew her for my piano teacher and teased me about her. "Old Sissy Stiff-Legs" they called her. As I

waited in the window, I would see them gather at a safe distance behind her and ape that springy, out-toeing walk of hers, learned, no doubt, from the teacher of deportment in a Memphis Private Seminary for Young Ladies. "Sissy, Sissy Stiff-Legs," I knew they were chanting softly behind her back, while I watched in horror lest she become aware. For although I mocked her no less than they on other days, on Tuesday and Friday afternoons she belonged to me and must be protected against injury as faithfully as though she were a pair of roller-skates.

As the clock whirled to strike four, there always came the awaited buzz of the door-bell and the concomitant crawling in the region of my stomach. Matilda would open the front door and call in to me, waiting in the parlor, "It's Miz Hartz." And in a moment, there she was, joyous as an angel of the annunciation, framed in the green plush portieres.

"And how is my darling today?" she would inquire tenderly, gazing upon me with overpowering love as I stood in wooden resignation to receive upon my brow her moist, benedictory kiss. And I would know again the shuddering satisfaction of being enveloped in the smells of Mrs. Hartz. They were compounded of violet perfume, garments cleaned with benzine, hair- tonic, carnation talcum powder, and Sen-Sen breath-sweeteners. After a dizzy eternity, I would wriggle out of her grasp and sit down upon the wobbly round piano

stool in front of our old upright, while, sighing deeply, she would take her place in the small straight-backed chair beside me and counteract, with a Sen-Sen from her black pocketbook, the effect of the emotion which greeting me had stirred in her Gibson-Girl bosom.

I would begin with the scale of the day in octaves, thirds, sixths, tenths, and contrary motion, and go on into arpeggios, chords, and related minor scales. But if my preparation had been insufficient, by a little skilful maneuvering I could get her to talk. Unaware that she had been tricked, she would plunge into tales of her girlhood in Memphis, where she had been a Belle. As I recall her now, she might really have been a beauty. But to me then, the tales of her social triumphs seemed a ludicrous, though diverting, fiction. Her complexion, she would tell me, seizing my hand and passing it over her pink-powdered cheek, was the most exquisite in the state; her dimples were noted, also, she would say, bringing into anachronistic being two rather seamy indentations. "And my hair," she would add, "was the talk of the South. It hung way below my knees. I could sit on it." With her long, "artistic" hands she would pat her still chestnut pompadour, while I wondered why anyone should *want* to sit on her own hair, and whether the pompadour was built upon itself only or with the aid of a rat.

If the narrative was too prolonged, my mother entered the living-room under the guise of maternal interest in my musical progress. Mrs. Hartz would answer her queries in a lyric outburst. "How *should* the dear child be getting on? Wonderfully! Superbly! She has talent, a most unusual talent. For the present, I dare say no more — not yet." And she would gaze upon me with such deep fanatic fervor that I could feel the red creep up behind my ears. "That is right, dear child," she would commend

me. "Be modest always. Modesty is true wisdom. Shall we play a piece for Mother now?" Feeling silly, I would play my latest, while Mother and Mrs. Hartz rhythmically nodded approval of my prowess.

At the close of a successful performance, Mrs. Hartz would reward me with a look which only the young Mozart or the infant Samuel might have merited. It betokened reverent awe for the God-given genius of which I was the earthly vessel; tenderness for the precious flower of childhood entrusted to her nurturing, Tuesdays and Fridays at four; and pride in having imparted to another something of her own virtuosity. For she had been graduated a Gold Medal Winner from the Memphis Conservatory of Music and had been a pupil of a pupil of Letchititzky.

But if, as so often happened, I played raggedly, or, worst of all, without "expression", she would shake her head mournfully and give forth faint clucks of despair — distracting sounds which precluded any remote possibility of my playing creditably. "My darling is not herself today," she would say gently when the massacre was over, and look at me with an expression of sorrowing martyrdom which St. Catherine might have envied.

Mrs. Hartz's approval or disapproval left me equally unmoved. My one idea was to get through my lesson as quickly as possible and play outdoors again, if there was still time. Music lessons with Mrs. Hartz, and Sunday School, and going to the dentist's, and having my hair shampooed were unpleasant necessities of life to be borne without complaint because they were good for me. I must have been as responsive to teach as the stool upon which I creaked so maddeningly back and forth. Anyone less an acolyte than Mrs. Hartz would have given up after a month of trying to get at me; but she, by some strange alchemy, not

only disregarded my indifference but adored me.

Only once do I remember her losing patience. It was when I was "taking" the Beethoven minuet, the inevitable one in G major. I played it through at my lesson with my mind far away from what my fingers were doing so automatically. Mother had made me a new party dress, white dotted swiss over pink, with a pink velvet sash. The glories of Beethoven were nothing compared to the glories of pink velvet. Suddenly the voice of Mrs. Hartz burst upon my reverie. "This is desecration!" she thundered in tones devoid, for once, of all gentility. "Beethoven would die, yes die!" My impertinent retort that he had been dead for about a hundred years never was uttered. I was cowed before the unaccustomed spectacle of Mrs. Hartz's wrath and felt indeed the Master's murderer.

For Beethoven and God must have been very nearly One in the mind of Mrs. Hartz. He, or rather They, sat at the apex of a hierarchy consisting of lesser though still superlative musicians — Schumann, Chopin, Liszt, all the romantics. But not Wagner. Wagner and ragtime were with Lucifer.

Of her favorite composers, Mrs. Hartz could play countless compositions. "When I was a girl in Memphis," she would say, sighing nostalgically, "I had an enormous repertoire." (The fact that for several years I thought a repertoire was a reticule caused me considerable confusion.) And at times, as a special reward for a good lesson, she played for me. There was something awe-inspiring in the way she swayed from the hips in great gusts of emotion and lifted her hands high above the keyboard of our prosaic old upright as though she were playing her prize piece before a crowd of Memphis admirers. How she really played I think I remember now: sentimentally, with inexcusable rubatos and

smearly pedaling. But then, when she played, she became for me a radiant being, transformed from a distasteful instrument of pedagogy to a matchless virtuoso.

One piece especially I loved, a Chopin waltz, number thirteen in D flat major. From hearing it I derived the same complete satisfaction as from anything pink, or angel food with vanilla icing, or sachet bags trimmed with rosebuds. It was, she told me, posthumous, and explained in her genteel syllables the meaning of that unfamiliar word.

"I like it better, then," I said, for something to say. But into my entirely mindless remark she read some subtle wisdom of her own devising, for before I could dodge she lifted up my chin and looked searchingly into my embarrassed eyes as though I were in truth the infant Samuel. "Ah, my dear, out of the mouths of babes. . . . How true it is. Death is the secret of life." Ever afterwards, when at my request she played what I called *The Posthumous Waltz*, she would turn at the end of each section to smile at me as though we shared some momentous secret, while I, pretending not to notice, looked the other way.

II

My father did not approve of Mrs. Hartz and often in my presence urged my mother to get another teacher. "She's an old freak," said Father, who was no mincer of words. "A freak and a frump. You know perfectly well, Martha, she's not the type —"

"Sh-h-h, dear," Mother would say with a meaning glance at me. "Of course we all have our little peculiarities, but you can't deny she is wonderful to the child."

"She may be wonderful," Father would admit grudgingly, "but she's crazy as a loon. You ought to get rid of her."

"Get rid of her!" Mother would exclaim.

"I should say not! The child gets more than piano lessons from her. She's a fine influence on her character."

At this, Father would snort indignantly and there the matter would be left. But my mother liked to tell her friends, over their afternoon tea, about the beautiful friendship between Mrs. Hartz and me. "It's a lovely relationship," she would assure them, "most unusual. The affection she lavishes on the child! And to think she and her own daughter don't get on. Yes, didn't you know? (This with great relish.) She has a married daughter, her only child. They don't speak. I suppose the poor thing is hungry for a child's love. She hasn't so many friends in the world. Years ago when they had money it was different, but Mr. Hartz died without a penny and since then —" At some such fascinating point as this, Mother would become aware of my presence and send me into the kitchen for more hot water. But from such recitals I gleaned enough to add to my feeling of distaste for Mrs. Hartz a sort of contemptuous pity and an embarrassed smugness at my importance in her life.

When I was ten years old, Mrs. Hartz, as my musical mentor, had the privilege of escorting me to the concerts of the New York Symphony Society. I loved the soft, rose-shaded lights of the hall; the thick carpets of gray; the ushers who greeted us as old friends; the kindly music-lovers, replete with their Sunday roast-beef, who smiled approval at the little girl who was *So Young To Appreciate Good Music*. But my pleasure in these things was dimmed by my having to follow in Mrs. Hartz's conspicuous wake as she trailed her long black skirts up the stairs to the balcony. She seemed so different from everyone else, especially when she added, on winter Sundays, a small moth-eaten neckpiece of yellowed, tail-trimmed ermine. I walked as far behind

her as I dared, lest people think her my mother. But Mrs. Hartz remained sublimely unconscious both of my actions and of the effect her appearance created among the members of the audience. The Queen of England had no more serene assurance than Mrs. Hartz.

Our balcony acquaintances — the other regular subscribers who sat in our vicinity — were regaled each week with my companion's reports of my musical ascent. Because of the self-consciousness thus engendered in me, I sat through the concerts in a red haze of agony, which made attention to the music impossible. Even so, I might have gotten something out of it if Mrs. Hartz hadn't held my hand. She kept it inextricably clasped between her own damp, cold palms, pressing it to nervelessness at the climaxes, stroking it gently during the lyric passages. I was sure that everyone for rows around was watching, and wished desperately to be released. But even the concerts were bearable until after my Twelfth Birthday Party.

It was a Valentine Party. Every decoratable object in our home was bedecked with red cardboard hearts and cupids. All the Seventh-grade girls were coming and there was to be a Jack Horner pie in the shape of a heart. The affair had had much advance publicity. Therefore it is understandable that when my mother suggested that Mrs. Hartz, as usual, be invited to watch the proceedings, I protested. Yes, I admitted, I was fond of her, of course, but I just didn't want her at the Party. What would the girls think?

"But look what she does for you," Mother argued. "Getting your music at a discount and not charging us the difference and giving you almost an hour's lesson when you're only supposed to get half an hour. Besides, you know how hurt she'd be if she weren't asked."

It was this point finally which won my consent. When Mrs. Hartz's feelings were hurt, she would become the stone image of a martyr, whose eyes dripped like a St. Bernard's. Ungraciously I permitted her to be invited in time for the ice-cream and cake.

So in the midst of a thrilling game of Consequences, Mrs. Hartz appeared, in her ermine neckpiece (proof of how significant to her was this event) and bearing in her black-gloved hands a large white parcel elaborately wrapped in pink tissue paper. "My darling birthday girl!" she cooed at me from the doorway and, advancing through the crowd of children, kissed me so resoundingly on each cheek that I burned with shame. Smothered giggles from my friends magnified my desire to hide under the sofa. There was, however, the package to open. The children clustered around to see what new trophy had fallen to the lot of the lucky birthday girl, who already had received three sets of colored sealing-wax; a rose-colored quill pen-holder in a blue glass inkwell containing bird-shot; a birthday book with quotations from famous English poets; and a real silver-mesh purse engraved with an indecipherable monogram.

Mrs. Hartz, heaving with emotion, hovered over us while our ruthless fingers made confetti of the careful wrappings. At last there was revealed a copy of Beethoven's piano sonatas, bound in green cloth.

"Oh, it's only music," somebody said, voicing my own reaction. "Come on, let's go on with the Consequences."

"I've written in it," said Mrs. Hartz in a trembling voice.

"She's written in it," repeated my mother, fondly. "Read it aloud, dear. I'm sure the girls would like to hear it."

"Of course," said one of them spitefully. "Do read it, dear."

She might as well have called me a sissy or teacher's pet. I felt outraged, but turned perforce to the fly leaf where was written an inscription in Mrs. Hartz's delicate Spencerian hand. I read aloud in as small a voice as possible: "To a dear little girl on her twelfth birthday. To know you is to love you. (A large snicker from the crowd.) May you continue to be a joy in music as in all things to your parents, your friends (a larger snicker here), and your dearly loving teacher, Heloise B. Hartz." The snickers had grown into hoots. Tomorrow at recess time, the Seventh-grade boys—those hated beings—would be shouting at me, "To know you is to love you." It was very bad.

My mother prompted me as I stood in a trance of horror: "Well, dear, aren't you going to thank Mrs. Hartz for her lovely present?"

The correct move, I knew, was to fling my grateful arms about Mrs. Hartz's waiting neck. But wild horses couldn't have dragged me an inch nearer that repulsive figure. Stubbornly I withheld the embrace and muttered a perfunctory thank you, while the room grew very quiet and the expectant smile on Mrs. Hartz's face gave way to the St. Catherine look. Fortunately at that moment Matilda threw open the dining-room doors. The tension was broken in a wild stampede for the table.

It was a fine party. We had strawberry ice-cream in the form of hearts, and a cake bristling with cinnamon candy hearts and red paper mottoes. The Jack Horner pie was a miracle of elaborateness. But all through the revels—despite the merry cracking of the snappers and the shrieks of delight when we bit into thimbles or wedding rings concealed in the cake—I was conscious of Mrs. Hartz standing stone still in the corner, refusing to partake of the feast and never shifting her hurt eyes from

my face. Finally, she crept out of the door without saying good-by to anyone. When the pall of her presence had lifted, I knew I hated her as I had never thought it possible to hate anyone.

III

That was the beginning of the end. From then on, everything Mrs. Hartz did irritated me past endurance: her precision, her gentility, her stiffness, and, above all, the affectionate pawings of her hands. Now, when she launched into one of her stories, I would itch with impatience to get the lesson over with, and rudely finger the keys while she rambled on. When she corrected my playing, I grew openly sullen, repeating the faulty passages savagely in the half-hope of inducing a cataclysm. But she remained patience and devotion itself, apparently oblivious to my rebellious attitude.

Once, on purpose, I came home twenty minutes late for a Friday lesson, hoping that miraculously she had left in a huff; but there she was, not angry at all, but brimming over with relief that I was alive. "Ah, my darling," she breathed prayerfully down my neck, as she stroked my hair, "the good Lord careth not where He reapeth. He took poor Mr. Hartz — may he rest in peace — but you He has spared to me. Amen."

"Amen," echoed Matilda from the kitchen door.

But I tore myself from those enfolding arms and fled from the room.

Then there was the time I played the piano, along with half a dozen other embryonic musicians, in the school assembly. It was at nine in the morning, an affair of no importance whatsoever, which only the most doting mothers of the younger children attended. In Seventh Grade it was considered a mark of babyhood for one's

mother to be present at morning assembly. Imagine my state of mind, then, when after the meager performance's close, Mrs. Hartz loomed up at the back of the wall, holding a bunch of white carnations in loudly crackling paper, which she placed in my shrinking arms as our class filed past. I had a terrible time living that one down.

Soon after this I began to complain at home about Mrs. Hartz. I was sly about it, taking care to wait until Father was there to give me support. He did, immediately.

"What did I tell you, Martha?" he said. "Nobody with any sense would keep that old dodo around. I absolutely forbid you to let the child take from her another term."

"But Charles," Mother protested, "how can we take the child away from her? Her whole life centers around —"

"That's the trouble," said Father brutally.

"And without the income from us she'd starve, probably."

"That's not our worry. Her daughter can look after her."

"You know perfectly well they haven't spoken for years."

"The daughter has more sense than I'd have thought."

During such bouts, so artfully provoked by me, I would stay above the battle, feeling guilty and treacherous, but buoyed up by the certainty that Mrs. Hartz soon would be out of my life forever. I tried to ease my conscience by practicing more faithfully than I had for a long time and being almost pleasant at my lessons. When I played with a conscious little soupçon of expression, Mrs. Hartz would beam ecstatically upon me and caress me more fervently than ever. I suffered without flinching her damp cold hands on my arms and face and hair, but when she touched my budding breasts and said coyly: "Our little girl is growing up," I knew I could not stand her much longer without exploding.

By occasional eavesdropping and pumping Matilda I found out that Mrs. Hartz was to be notified of her dismissal by letter after the last lesson of the term. Although I felt it rather cowardly of the family, I was relieved to be spared what would have to be a harrowing farewell scene. But my relief was premature. The Tuesday after what I had happily believed to be my final lesson, I came home from school to find Mrs. Hartz in the parlor, looking quite as usual except for a strained expression around the eyes.

"I didn't expect you," I faltered. "I mean, I haven't done my practicing."

Matilda tried to be helpful. "I been tellin' her. I know your ma wrote her a letter —"

"That will do, thank you," interrupted Mrs. Hartz in her most regal manner. "I need no advice from the servants. We will begin with the A flat major scale."

There was nothing else to do. I began to go through the agony of a lesson. The stony look in Mrs. Hartz's face, the menace in her voice, filled me with dread. If she had touched me, I would have screamed, but she didn't — she simply sat beside me and put me through my paces impersonally as an officer on parade. When Mother came home at last, after what seemed like hours, I burst into tears and dashed into the haven of my own room, from behind whose closed door I could hear Mother's quick, indignant tones and Mrs. Hartz's soft, refined ones, invested now with a sort of mad, angelic calm. When my father came home, he closeted himself with them, cutting across their female voices with his angry male one. The voices grew sharper. Mother called out to Matilda to bring the smelling-salts. There were wild, heaving sobs, then silence.

Matilda brought my dinner on a tray. "She don't even have the sense to go when decent people eat their dinner," Matilda

said, trying as always to identify herself with the family attitude. "The old fool."

"She's not an old fool!" I cried and broke down completely. I knew how Judas felt, although of what I was guilty I could not have said.

When Matilda came in at bedtime to turn out my light, they were still talking in the parlor. I lay awake, under the compulsion of a morbid curiosity to hear them on their way to the front door. At last their footsteps creaked past my room.

"Well," said Mother in a bright, unnatural tone, "I do hope you'll be all right."

"Perfectly all right, I assure you," replied the weary, genteel echo of Mrs. Hartz's voice.

"You're sure you can take care of yourself? It's no trouble at all for me to see you home," said Father with unwonted politeness.

"God has taken care of me all my life," said Mrs. Hartz with dignity. "Why should He stop now? Besides, it doesn't matter."

"I'll ring for the elevator," said Father quickly. He sounded upset.

"And am I not to say good-by to my darling?" The sudden upward inflection of Mrs. Hartz's voice made me shrink under the bedclothes. "You wouldn't have the heart to deny me that? One last look at her in her sleep. I wouldn't even touch her hand."

Father and Mother both murmured something I couldn't hear. The elevator whined up the shaft and stopped. "You'll regret it," Mrs. Hartz cried hysterically above the car's descending whir. "You'll regret it!"

The door slammed and shut out the horrid sound. "Poor thing," said Mother. "I knew we shouldn't have done it."

"The trouble is," said Father, "we should have done it years ago. I told you the woman was unbalanced. You'd better warn the child not to have anything to do with

her — not to speak to her if she should see her anywhere. You never can tell.”

Finally I fell asleep and dreamed I was stolen by the gypsies and slowly smothered to death in a cavern by the fumes of a fire smelling like Mrs. Hartz.

IV

In justice to my mother, I must say she never warned me about the dangers of being kidnaped by Mrs. Hartz. Nevertheless, made timid by what I had overheard, I was careful not to linger on the street after dusk. Once or twice I fancied I saw her lurking behind bushes in the park and in areaways.

One afternoon I did see her. It was late in the spring, a month or so after that last night. I was playing a game of ball in front of my house, when, in the middle of a bounce, I glimpsed a flash of black drapery. Sure enough, she was standing quite close to me, gazing full in my face with a look which froze my marrow. It was as though her smile was a knife that pierced me. For a moment I couldn't move; then I backed into the group of staring children.

She moved nearer to me and held out one black-gloved hand. The other carried a box obviously containing candy. A vision flashed through my terrified mind of chil-

dren being lured by candy to horrible deaths. “Well, darling,” she said in tones vibrant with love, “what have you to say to me?”

I might have shaken the hand she held out to me. I might at least have said, “How do you do?” But fear both of her and of my playmates' ridicule kept me motionless and silent. “I'm not allowed to talk to you,” I burst out at last and turned my back on her.

Who began the whisper of “Old Sissy Stiff-Legs” I do not remember. I might have done it. But in a few seconds the stealthy whisper had become a hue and cry. “Sissy, Sissy Stiff-Legs,” we chanted in rhythmic chorus, “Sissy, Sissy Stiff-Legs.” When I dared to turn my head she was well down the block.

For one wild moment, I wanted to run after her and tell her I was sorry. I did trail her for a few steps, but when I saw how silly she looked, in her black clothes, I let her go. As she rounded the corner into the Avenue, the spring breeze caught her veil and set it fluttering like a crazy black banner. I saw her halt, open her pocketbook, and pop a Sen-Sen tablet into her mouth. “Sissy, Sissy Stiff-Legs,” yelled the children in one last earsplitting outburst.

She straightened her back, and holding her head high, minced rapidly down the street. I never saw her again.



WANTED: AN HONEST PRESIDENT

BY NICHOLAS ROOSEVELT

THE age-old truism of American politics—that a first-rate man rarely attains the Presidency—appears to be holding good today. To promise glibly, to trim craftily, to dodge gracefully, is still the procedure for the successful aspirant to the White House, as it is of its incumbent. Yet at no previous time in American history has there been greater need for a forthright and fearless national leader. Is there no chance for such a man in the 1936 election?

Lord Bryce essayed to explain the mediocrity of America's Presidents by pointing out that the operation of party machinery placed a premium on "safe" men, and that the greatest rewards in national life were to be found in developing the resources of the country rather than in governing it. But since Lord Bryce's day, the unwillingness of first-rate men to enter politics has been due only in part to the greater rewards to be found elsewhere; it has been caused as well by a change in tradition.

During the first third of the nineteenth century, public life still topped the list of honorable occupations. To be President or Cabinet member was to follow in the heritage of Washington, Adams, Hamilton, Jefferson, and a host of other distinguished figures. But the second third of the century was marked by the introduction of the spoils system in politics; and at once the standing of public service was immeasurably lowered. At the same time the

successful development of shipping, followed by the building of railroads and the development of commerce, attracted men into these occupations who might otherwise have gone into public life. By the last third of the century, contempt for politicians had become so widespread that even those big businessmen who did not scruple to bribe state legislatures regarded politics as a dirty business. Here and there an honest or a brave man went into public life; but, aside from Charles Sumner, Carl Schurz, Governor Altgeld, and Senator Hoar, few of them are remembered today. Fortunately, the first third of the present century was marked by a change. Interest in public life was stimulated by Theodore Roosevelt and Woodrow Wilson. The World War demolished social traditions and re-emphasized duty to the government. The Depression created in the minds of many people, old and young, a desire to understand the problems of the day. As a result, a healthy spirit of questioning is now evident. Old standards are being re-tested, new theories exploded. The New Deal, however preposterous its unsound innovations, has produced a keen interest in public affairs.

This interest centers not only in policies but in types of personalities; we have had our fill of government by charm. But does this mean that we must enthrone a nondescript in the Presidency? Granted that the politicians still prefer a mediocre to a strong man, is this also the preference of

the people? Would the average voter rather have an opportunist and melodious promiser in the White House instead of someone with courage and integrity, or is it only the professional politician who wants a weakling?

At first glance the promisers seem to have it—particularly if they are silver-tongued. We are a credulous and good-natured people, ready to believe the candidate who is free with his assurances—especially when he pledges us those things which we would like to have. Even when his enemies tell us that the promiser's record shows a happy disregard for what he has promised, we are slow to believe these charges. Willingness to "give the man a chance" is an American political tradition. So also is the hope that a new face will bring new solutions to old problems—all the more so when that face is handsome and charming, and the man's words open and ringing with self-confidence. But we are ruthless when we discover the promiser's feet of clay.

This type of political figure is age-old. Plato described him 2500 years ago in *The Republic*:

At first he is all smiles, and he salutes everyone whom he meets; he to be called a dictator, who is making promises in public, and also in private, liberating debtors and distributing land to the people and his followers, and wanting to be so kind and good to everyone!

The words might have been written by Mark Sullivan about Franklin Delano Roosevelt. Certainly few American politicians have been more skillful than he in using promises as the rungs of a political ladder. His system is simple—to give supporters and enemies alike the impression that he agrees with them 100 per cent. Yet it would be unfair to generalize from Mr. Roosevelt's character that his is

the only type that can win in the American democracy. It must not be forgotten that his triumph in 1932 was largely due to the fact that the voters believed him to have political courage and to be a man of his word. Millions voted for him because they revered his distant kinsman, Theodore Roosevelt, and hoped that he might resemble him. But most of the horde voted for him because they wished to dethrone their former choice. No people is quicker than the American to cry: "The King is dead! Long live the King!"

II

Let us glance briefly at our past Presidents to see how many of them were first-rate and how many merely mediocre.

Washington was, of course, a born leader whose integrity won the confidence of the nation. Adams also was honest and courageous; but he had a streak of sourness in him that aroused distrust as well as dislike. Jefferson was a man of words—but not a man of his word; he shrank from frankness as well as from personal danger. Madison was an able lawyer misplaced in the Presidency. Monroe was an amiable nonentity. John Quincy Adams had a streak of granite in him; though he was testy and unfriendly, he won awe and respect because he never flinched, never gave in, and never courted popularity rather than right. Jackson was brave, blunt, and the inventor of political patronage. Van Buren was a trimmer. Harrison, Tyler, Polk, Fillmore, Taylor, Pierce, and Buchanan were nonentities. Lincoln stood like a rock for the preservation of the Union. Johnson was honest but misguided. Grant was a political misfit, his integrity was greater than his judgment of men. Hayes had courage, including the courage to decline a renomination. Cleveland, es-

pecially in his second term, was forthright and bold. Harrison, Garfield, Arthur, and McKinley were able but not great. Theodore Roosevelt was unafraid and unequivocal. Taft was too good-natured to be forceful. Wilson loved weasel words and dreaded action. Harding was innocuous. Coolidge had courage. Hoover, a big man, was hampered by his inability to understand politicians.

The list, obviously, is not impressive. Since the early days of the Republic only Jackson, Lincoln, Cleveland, and Theodore Roosevelt stand out as truly rugged figures. They alone possess the elements of greatness.

Let us look, then, at the defeated candidates. Aaron Burr was a political opportunist. C. C. Pinckney was a distinguished lawyer of the South Carolina aristocracy. De Witt Clinton was brave and forthright, as had been the stubborn and misguided George Clinton before him. Rufus King was a worthy survival from the Federalist days. Of William H. Crawford and Henry Clay, the latter showed greater independence of spirit; but even he did not hesitate to change sides when to do so was expedient. Lewis Cass had been a good pioneer governor. Winfield Scott was a toughened soldier, blunt and unyielding. John C. Frémont was more famous as a soldier and explorer than successful as a political leader. Breckinridge, McClellan, and Horatio Seymour did not possess unusual abilities. Tilden was a tough fighter who never had a chance to show his true mettle. Hancock and Blaine have passed into oblivion. Bryan was a master promiser, a glib phrase-maker. Alton B. Parker was a fine gentleman, as is John W. Davis; neither as a campaigner was conspicuous for vigor or forthrightness. James M. Cox was a successful hack-politician. Charles Evans Hughes possesses

great intellectual integrity and a goodly measure of moral courage; but his hypersensitiveness atrophied his capacity for hard-hitting when he was a Presidential candidate. Al Smith fought hard, spoke frankly, and never ducked or ran. He is still one of the most popular figures in the Democratic party.

Looking back over these might-have-beens it is hard to deduce the conclusion that big men or strong men were defeated by mediocrities or weaklings. Clay, the greatest of the earlier group, was up against John Quincy Adams and Jackson. Hughes lost primarily because of the country's reluctance to swap horses while crossing the stream of the World War. Smith was beaten, not because of his directness and obvious integrity, but because of the national prejudices against Tammany, Irish Catholicism, and the Sidewalks of New York; certainly his successful opponent cannot be described as a nonentity or a small man.

What of the men who failed to be nominated by a major party? The list is obviously too long to include here. If it be confined to men actively in public life, only a few great names stand out: John Marshall, Daniel Webster, William H. Seward, John Sherman, and Elihu Root are probably the best known. Marshall's fame lay in his work as Chief Justice; there is no reason to believe that he would have made an unusually successful President. Webster was probably the greatest of the lot. Seward and Sherman were little more than local figures. Elihu Root's rare talents and clear, cold mind failed to arouse popular appeal. But it is interesting to speculate as to what might have happened had Theodore Roosevelt imposed Root instead of Taft on his party in 1908; the chances are that he would have gone into history as a big President. Carter

Glass is a man who says what he believes, does what he thinks is right, and refuses to trim or to truckle; had he been otherwise he would not have achieved nationwide distinction. Harry F. Byrd has also dared to be openly frank. There was a time when Hiram Johnson fought hard and fearlessly.

But sitting in the saddle today is a promiser — without doubt the glibbest promiser we have ever had. And of those who seek to force him to dismount, nearly all are following the accepted doctrine that it is better to play safe. This means that most of them confine their fire to the enemy's shortcomings and avoid definite commitments as much as possible. Some are even foolish enough to think that they might be able to out-promise Mr. Roosevelt. They fail to realize that to succeed in this they would also have to possess his skill and ingenuity in feeling his way out of broken pledges. It takes brass as well as oily sinuousness to seek re-election on the record of the New Deal at the same time that the New Deal's chief policies have been or are being relegated to the political scrap-heap. Doesn't this very condition offer to the Republicans the opportunity of selecting as candidate a man who is the exact antithesis of the New Deal chieftain, and who is absolutely honest in his expressions of principle?

III

Certainly the nation is sick of trimmers. Trimming, it has been demonstrated, is a form of cowardice. The man who is unwilling to offend anyone, any time, anywhere, has too much of the Caspar Milquetoast in him. There are times when ugly speaking is necessary. Willingness to risk unpopularity, to do something that is right regardless of personal consequences,

requires great moral courage. The promiser, the straddler, the equivocator, manages to win approval only so long as he does not have to make good his promises. But disaster and humiliation finally overtake him because he cannot indefinitely pledge everything to everybody. In the resulting popular disillusion the promiser ends up in ignominy. Mr. Lincoln's famous phrase about fooling the people applies in this case with the greatest pertinency.

Why, then, have so many politicians chosen the path of compromise? Because it is the easiest way — and because most of them dare not risk defeat. Being ruled by fear, they are strangers to bold action. They agree that Cleveland was a powerful man because he never flinched from unpopular action — but they thank God that they have been able to avoid taking a definite stand. And as a result the political tradition has become established in this country that a successful candidate must avoid giving offense.

In this connection the Republicans now find themselves in a predicament. The machine leaders refuse to recognize their own unpopularity. They would like, if they dared, to discover a second Harding; their instinct is to seek a "safe" man — one who has few enemies and has expressed no embarrassing opinions. If he is willing to promise the moon, all the better. In other words they dread a man who may be stronger than the party organization.

In 1920 such a course was possible. The revulsion against Woodrow Wilson was so great that even a dogcatcher could have been elected on the Republican ticket. But in 1936 conditions are different. Party lines are shattered. The number of independent voters is greater than ever, because to the millions who deserted the Republican ticket in 1932 must be added other millions

THOUGH I AM FALSE

who are daily deserting the New Deal. These are people whose support the Republicans must win if they are to defeat Mr. Roosevelt.

The country wants leadership of the kind that places country above party and integrity above political expediency. The voice with the smile is no longer invincible. Even the smile itself is becoming wearisome. Yes-men and public flatterers are no longer in vogue. The demand, widespread among old as well as young, is for a man of courage and honesty, who will say what he thinks, do what he says, and never hesitate to take a course which threatens unpopularity when to do so is obviously necessary for the nation's welfare.

I often recall the story told of Theodore Roosevelt when he was a candidate for the Vice-Presidency on the McKinley ticket

in 1900. He was due to speak in one of the silver towns in Colorado. The backwash of the silver campaign of '96 was still felt there, and his managers warned him that if he said anything against free silver he might expose himself to personal violence. So when the time came for him to speak, he marched resolutely out to the edge of the platform, beat his fist on the table, and cried:

I was warned when I came here that if I said anything against free silver I might be in danger of personal violence. I want you to know that I am opposed to free silver, always have been, and always will be!

The audience rose and cheered.

Doesn't this contain a lesson for the Republican organization leaders who this month will choose the Republican candidate for the Presidency?



THOUGH I AM FALSE

BY LENORE G. MARSHALL

THOUGH I am false in word, in dream,
 I know the truth better than any lie,
 And what deceit I loved could never seem
 Another truth, but only treachery.
 Throughout this lifelong traffic with the dark,
 Lost among skeins of living, still my eyes
 Haunted must seek for their eventual mark,
 Uncomforted close on final compromise.

When I have died and blown away like chaff,
 O flesh, O deeds, nothing will last of you
 Which kind friends wove into an epitaph;
 Only an unperceived hard residue,
 Hard nugget, hard vein, hard indissoluble pact,
 Beyond corruption will remain intact.

I KNOW WHAT POVERTY IS

ANONYMOUS

I HAVE just recovered from a severe attack of poverty. My husband, my children, and myself have been, for two whole years, hungry, penniless, and paupers. We have learned to know, in the acute reality of practical experience, what professors of economics and Washington reformers theorize about. We were one of the families which were not supposed to starve. But we nearly did.

As a case history for the American laboratory, I shall try to set down just how it feels to be really destitute—to hush the children and tiptoe about behind drawn blinds when the remorseless step of the bill-collector is heard outside the door (and this in spite of having grown up in an environment where the paying of bills upon receipt was as automatic as dressing in the morning). For we were not unemployables. My husband had had four years of technical training, and had taught in his profession for a year. I had married very young, but my education was far above the average, and my family, for generations, had been successful and respected citizens. Since my husband now has a good job, and I am able to make money by writing, it is obvious that we both had potentialities for success, and the fact that we had to live for two years on the dregs and the scraps, proves, I think, that poverty is not necessarily a badge of incompetence. Despite the lesson of the Depression, there are still some who delude themselves with the idea that only the ignorant, the unfit,

the unintelligent, can be paupers. This is bitterly untrue. I am convinced that, had it not been for superlative good luck, we might quite possibly have starved. For when my husband finally got his job, it was through a friend. Most jobs are gotten through friends. But what if one is in a strange community? There is no reason to believe that what happened to us, and to others, couldn't happen to anyone who reads this. Your intelligence, your background, your education, will not protect you against poverty.

When John first lost his job, we didn't fully realize what had happened. We had saved a little money, and of course it would last till he found a place. But it didn't. John went up and down the business district, interviewing this man and that who "might have something"—and, in the meantime, our small savings dwindled till they reached the vanishing point; and at last we found ourselves with nothing but a meager government pension and the uncertain recompense which John received from an occasional free-lance job. We found a house which was comparatively cheap, and we took our broken-down wickerwork furniture and the three cribs and the faded living-room rug with its worn patches, and moved in. It was mid-winter, so John built a fire in the grate, and I remember sitting close beside it, in the midst of all the upset and confusion, with Michael—a mite of two months—on my lap. It was warm and comfortable, and we were full

of hope and the sense of high adventure. There was a ton of coal in the basement, we told ourselves complacently, not knowing then how rapidly a ton of coal can disappear in January. Jane and Elizabeth, who were two and four, went about excitedly, exploring everything.

Gloating over our new domain, we laid our ragged rugs and hung our faded chintz curtains (once the property of an opulent relative) and disposed our shabby furniture about the house. Oddly enough, when we had finished, the result was not unpleasing. The bathroom had a large hole in the ceiling and the plaster was falling constantly, but it was a nice bathroom for all that. The kitchen floor (wonder of wonders) was covered with good linoleum, and on bright days the sunshine fell cheerily upon the little stove and the wooden table which showed in patches the many varying coats of paint it had been given. But the living-room was my particular pride. It was long and pleasant, and with the chintz curtains and the bookcases on each side of the fireplace filled with our battered and precious books, it was a room to be happy in. Even the broken-down lounge which flanked one side of the hearth, even the lamp on the table which had been broken and mended and hence sat slightly askew, did not detract from the atmosphere.

In the afternoons, when the children were asleep, I sat in that room beside a little blaze of the scrap wood which could be picked up about the neighborhood, and felt unaccountably contented. I sat quietly and at peace, reading or mending the small, worn dresses and stockings, the patchwork coats and leggings, and thought myself blessed, even though Poverty sat with me. Looking back, it seems to me that I must have been singularly short-sighted. Perhaps it was simply because I was so young, and

because youth lives always in the present moment. I do not believe that I was optimistic. That time had passed. I don't remember thinking that things would be better tomorrow, or the day after, nor that some day we would be fat and prosperous and arrogant with wealth. I was simply glad that the children were sleeping, soundly and healthily, that there was no one to pity or condemn us for our lot, that John and I could laugh irreverently in the very face of want.

It was exciting, too. It got to be a kind of contest between Poverty and myself. Sometimes she won, but usually I outwitted her. It didn't seem to matter greatly that I myself grew thinner and thinner, nor that my back bothered me when I did the huge washings by hand. I became subject to migraine headaches at that time, too, but even then there were compensations. For while I lay in a darkened room, wishing I could die, Jane and Elizabeth trotted about the house on tiptoe, changed the baby, set his food over a pan of hot water, and brought it to me to see if it was "right".

There were times, of course, when Poverty nearly beat me. When John came home at night, after another fruitless day of searching for work, or of trying to collect for work already done, I could have cried for pity. I'd long since stopped asking him for news. I knew that he would tell me the minute he came in, if anything good had come to pass. So, when the door opened and I heard his heavy footstep in the little hall, I would merely call gaily from the kitchen where the two children were still eating their suppers, and hustle our own scanty meal onto the dining-room table, as if, by my very busyness, I could make him forget the bitter flavor of his day downtown. I wonder how many other women, these past few years, have felt

themselves constrained to a similar cheerfulness, that their men may have the courage to go on?

II

It seems amazing now, but I know that, for the most part, we were very gay. That little house, as I remember it, was filled with laughter—and if we were merely whistling to keep our spirits up, it was at least a purely unconscious reaction to the situation. Most of our mishaps and misfortunes, after their first shock, appeared to us in the light of a delicious absurdity. We both developed, at that time, an aptitude for the art of wise-cracking—a specious form of humor, perhaps, but one which served us well. When a sudden freeze found us without coal, that second winter, and one of the radiators burst in the night, John surveyed the sheet of ice which covered the living-room floor, and said: “Gee, Frances—it’s too bad you sold your skates. Think of the fun you could have had.”

That period of below-zero weather and no fuel was one of our strangest experiences. The poor are without credit; if there is no money, there is no coal. And, unquestionably, food is of more immediate importance. We watched the coal-pile dwindle, and when it was gone, and the bin cleaned of its last small piece, we turned on the gas oven and shut off the rest of the house. Fortunately, there was Michael’s room which opened off the kitchen (I suppose it had been a maid’s room in better days). So, with pans of water atop the oven to keep the air moist, we lived exclusively in those two rooms during the Time of the Great Cold. “All we need now,” said John, looking at the ice-covered windows, “is a ration of pemmican. . . .” The children were bathed and

dressed beside the oven, and the baby’s wash was dried on lines across the kitchen. In the bathroom, icicles hung from the faucets. The only time we ventured into the frigid zone was when we went to bed. Oh, the intense, the bitter coldness of those sheets! The nights when one lay shivering and cowering, when one could hardly imagine *ever* having been warm.

“Take deep breaths,” John advised. “That’s what we did in the army to get warm.”

There was one hot-water bag, which I put first in Jane’s crib and then in Elizabeth’s, and I believe that they were comfortable under their piles of blankets and ancient overcoats. When they were indoors during the day, I had found that the floors, even in the heated section, were too cold for them to walk on. (My own feet ached incessantly with chilblains.) So I tucked all three children under a blanket on the couch in Michael’s room, and, with my legs drawn up under a coat in the rocker, I read to them by the hour. *Alice in Wonderland* will always be associated in my mind with windowpanes opaque with frost, for that and the verses of A. A. Milne were our particular favorites. And if there was anything incongruous about reading *The King’s Breakfast* in the midst of such overwhelming hardship, I do not remember having thought of it. Even the baby never failed to laugh when the King slid down the banisters. . . .

The laundry, at this time, was rather less than enjoyable. Clad in an old sweater, I stood upon a two-by-four to protect my feet from the cold basement floor and washed sheets and shirts and diapers, hanging them upon the stiffened clotheslines with hands as red and numb as frozen meat. While I rubbed and scrubbed, I sang continually—though I have never had much of a voice. I think now that I

must have been a ridiculous and contradictory picture — a thin, tired young woman shivering over a washtub, and chanting: “My mother bids me bind my hair, with bands and ribbons ga—ay”.

But upstairs in the kitchen it was very snug. John and I had brought two old arm-chairs out beside the table, and after the children were asleep we read and talked, and sometimes John said: “This is fun, at that. Kind of like living in an igloo, isn’t it?”

The windows were so thickly iced that we couldn’t see the outdoors at all. We were completely isolated, living in a world inhabited by only five persons. Yet, somehow, those long, quiet days with only the children for companionship, held a satisfaction all their own. It must have been somewhat the same inward, self-contained sense of peace which my great-grandmother experienced, alone in her frontier cabin with her youngsters safe around her, and all the danger and misery of the world barred out by the stout oak door. I felt, at that time, a closer kinship than before with that sturdy young mother. Across a century and a quarter, my sympathy reached back to her, and touched her with a new and vivid understanding. She had had savages and famine outside her cabin; I had destitution in the midst of a social order which, for some reason, denied its blessings to me and mine — but we both had barred the door, and, inside, we cooked and mended and sang our youngest to sleep in the warmth of a fire — though hers was in a deep-set hearth, and mine a gas oven.

There came a day, however, when we could not pay the gas bill. Then a tall, disillusioned-looking young man came to the back door and said that he must seal the meter.

“Oh, but we *have* to have gas!” I cried.

“Why, I’m just cooking the baby’s vegetables.”

“I’ll wait till they’re done,” said the young man kindly. He waited. But that was not the extent of his kindness. After he had affixed a padlock to the meter, he said, seeing my distress:

“It’s easy enough to take them locks off, lady. They only charge you fifty cents for ’em.”

It was not my last encounter with the kind young man. He came several other times while we lived in that house — and every time he put a padlock on the meter, and every time, John took it off. After the first few weeks, it got to be a mere matter of form. . . .

Sometimes it seemed as if a benign providence must be watching over us. We never, like Micawber, quite expected anything to turn up, but somehow, something always did. There was a morning when I stood looking at the pantry shelves and peeping into cans and boxes, and for all my looking I could discover nothing at all in the way of food. The refrigerator was open and as empty as Mother Hubbard’s famous cupboard, and I had scraped up the last of two or three different kinds of cereal for the children’s breakfast. I had not a penny. I walked back to the kitchen, plotting within myself, feeling it incredible that noon should come and the children have no lunch.

It was only a little later that the doorbell rang and a stranger asked if he might use the current in our garage to demonstrate an electric drill to some contractors who were building across the alley. When he handed me seventy-five cents for the use of it, it was as if he had offered manna from on high. Never was a vast fortune more thankfully received. Never, I feel sure, did seventy-five cents buy so generous a store of provisions.

III

As I look back on it now, in the light of later wisdom, I realize that there was something distinctly reprehensible about our hand-to-mouth existence. What we should have done, of course, was to have moved into a slum neighborhood (the only kind of place where we *could* have lived within our tiny income). We were parasites of a sort, eking out a precarious living on debt, wearing the cast-off raiment of relatives who could afford to buy new clothes. The only vestige of pride which we retained was implicit in our refusal to ask charity of anyone—even of those who might have been expected to help us. It never occurred to me to appeal for aid, nor was I resentful when it was not offered. This was our personal problem, and it seemed logical that we should work it out ourselves in our own way. I cannot pretend that our manner of doing so was an admirable one by any means, yet, when I consider the lot of children who must grow up in crowded areas, with the sights and odors of squalor on every side, I cannot regret that we chose the way we did. I had lost touch with all my friends except one, and had only a nodding acquaintance with the neighbors, so there was none to hurt me with pity. I could walk about the streets in my shabby clothing with my head high.

Now I hold no brief for Poverty. I think it a curse and an anachronism in a world of plenty. I believe that, in time, it will degrade the human spirit to almost unimaginable depths. It is attended by petty makeshifts and compromises; honor and self-respect go down before it, eventually, like grass before a high wind. It deprives its victims of all too much, aside from its purely material deprivations. (Never shall I forget my despair when I received an invitation to the wedding of one of my

dearest friends who lived in a distant city—and had not even a sheet of note-paper nor a stamp, to send her a line of good wishes.) I am convinced that, had Poverty stayed with us for two more years, we should have grown to hate living and ourselves. We should have stooped to incredible things, I feel sure, and all the laughter and courage would have gone out of us.

Yet those lean years had their compensations. I can never remember the unexpected kindnesses of certain individuals at that time without a gratitude too deep for expression. There was the doctor who performed a very necessary tonsillectomy for Jane and Elizabeth with the understanding that he should be paid “whenever we could afford it”. There were the good nuns who ran the hospital where Michael was born, and who, at the doctor’s instigation, charged me nothing—though I was not even of their faith. I had the same excellent care as any paying patient, and their tact and kindness even went so far as to deliver to me at the end of the week an envelope containing a blank bill, so the woman who shared my room should not know that I was receiving everything gratis. . . . There was the milkman who gave me two or three dozen eggs at a time, which his father-in-law had sent from the country—who left us milk on many, many days when I had no money to pay for it. God bless that milkman!

Moreover, as it is true that one never realizes the breadth of human compassion till one has been in a position to need it, it is also true that only in the absence of material possessions can one attain a full appreciation of the resources within one’s self. Given a comfortable income and all that goes with it, I should probably have dropped very easily into the round of time-killing activities which occupy the average middle-class matron: bridge, clubs, and parties. I should have engaged in spirited discussions

about my favorite movie and radio stars, read the latest popular novels, and worried over the trend of women's fashions. But, if Poverty saw to it that all those outlets were closed to me, it was she who pointed the way along a road which I have followed ever since, and with increasing delight. Even for the poor, there is always the public library: the nearest branch was a good mile from our house, but it was simple enough to pack two children into the rickety carriage, and Elizabeth had sturdy legs for walking. Sometimes I had to carry an extra piece of cardboard for the bottom of a shoe (cardboard wears through rather quickly) and of course the books must be returned on time, come rain or snow, as I couldn't under any circumstances incur a fine. But those were minor difficulties. Compared to the joy of having five new books to read, they were as nothing.

I propped up volumes of Hardy and Conrad on the stove while I was cooking broth or carrots or cereal. I fed the baby with one hand and turned the pages of *The Old Wives' Tale* with the other. I ironed rompers with *Tom Jones* spread open on the board in front of me. It probably didn't improve my ironing, but I believe it sharpened my wits. I even renewed my acquaintance with the French language, which I had almost forgotten. It was heavy going at first, but before long I was able to read Voltaire, and even Montaigne, with ease. When I stumbled upon the poetry of Verlaine, I

knew all the joyous surprise of an explorer come suddenly upon unknown territory. I read history, biography, philosophy, and fiction — and gradually, out of my chaotic and uncharted literary expeditions, there emerged a critical appreciation of style and content, a conception of the evolving stature of literature and the parallel growth of humanity. Perhaps my reading was an opiate against reality, but at any rate it was an effective one. I was quite too enchanted by my glimpses of the vast world of the mind to waste any precious moments in the luxury of self-pity or the contemplation of my own misery.

Eventually, of course, John found a job. For some time we lived as simply as possible in order to pay our debts: the doctor, the hospital, the long-suffering landlord. It is all behind us now, but, should we pass that way again, I suppose we'd muddle along as we did before. I cannot see that there is anything to do, in the face of Poverty, but to trust in luck, and to draw on whatever resources one may have within one's self. So, to the years of Poverty, I extend my individual thanks. There were the ugly moments, the agonies of despair. Saint Francis, I am sure, was made of sterner stuff than I. But the schooling in austerity and self-denial, the gifts of laughter and of learning, were almost enough to compensate for the slight flavor of bitterness which will remain with me, I know, for the rest of my days.



THIRD DEGREE

A Story

BY RODERICK LULL

WHAT is it you want to know? It's all very well for you to sit there and keep saying over and over again, "What happened to her? Tell us all about it, goddam you!" But it's another thing if you expect me to explain it as if I was telling you the time, or the day of the week, or how the weather looks down the coast. I can say, "Here is what happened. We were walking together, talking. Then she ran away into the night. That's all I know. The rest you know." But you aren't satisfied with that. You sit there and light more cigars and think, "He's lying to us. People don't do things like that. Maybe we ought to work him over. Maybe we ought to beat the truth out of his hunky Irish skin. Once we get the truth out of him, we'll have him and then we can throw the key away and get the rope stretched and ready." That's what you think, but then you aren't quite certain. Always at the back of your minds you have another thought that says, "Maybe we'd better wait a little while and talk a little more. Maybe it's different from that." So you sit me down here again in front of the light and look at me where I can't look at you or see anything but shadows and the points of your cigars. And none of us gets anywhere.

Because it's so hard to tell this thing that I have to tell you. It's hard this way: I can say to you, "Often we were hungry,

often." But does that make *you* feel hungry, does that tell you how it feels to have a rat gnawing inside you, until you would kill a man, kill your father or your mother or your best friend, for a fine, juicy steak? No. Or I can say to you, "You see, there was no place to go." And does that make you feel how it would be, say, if you were in the middle of the Sahara Desert and knew that you might walk a thousand miles in any direction but that nothing would change, there would be nothing around you but the same sand, nothing over you but the same hot sky, nothing inside you but the knowledge of hunger and thirst and aimlessness? Of course it doesn't. That's the fix I'm in. That is what I wish you would think of when I talk to you. Maybe you can't understand, maybe nobody could understand, but I wish you'd try.

She had worked hard that day and long. She did that many days, but this had been an especially long one. At the end of the day she had earned almost a dollar and a half. I remember when I went to see her that evening she said it several times in a strange voice. I kissed her and she said, "You know, today I worked fourteen hours and I earned almost a dollar and a half." Then I kissed her again, telling her to forget about such things, that it would not always be like that, that some day maybe I would get the job I wanted at twenty-

five a week and we could get married and she would not have to work any more and everything would be fine. But she did not seem to hear. She just said it again, "Today I worked fourteen hours and I earned almost a dollar and a half."

I suppose it was because she was so tired that she kept saying it — because when you are as tired as that your mind is tired too, and doesn't like to move, and when it gets hold of something it hangs on to it so it won't have to deal with something new and more difficult. So she kept saying it. Do you know what a dollar and a half is? . . . She earned a little less than that, as I said, but we'll call it a whole dollar and a half to keep it even. I suppose you know. It'll buy a pint of whisky, not very good whisky, or two pretty good meals at a pretty good hotel, or it'll get you into one of the cheap hookshops, or it'll take you to four or five movies. That's what a dollar and a half is, and she had earned it that day. She would earn it the next day and the day after that, but probably not the next day because you usually couldn't get the chance to work more than three days a week.

All right then, I won't waste any more time. I'm sorry if I seem to be wasting your time, but I'm trying to tell it as it happened. That is, as it seemed to happen. So we won't talk about the dollar and a half, the almost-dollar-and-a-half, any more. I said to her, when she was saying it over and over again, trying to make her laugh, "Well, you're an heiress! They'll think I want to marry you for your money. What are you going to do with it? Buy a yacht, or a big house, or pictures to hang on the wall, the kind that's painted by Italians who have been a thousand years dead?"

She usually laughed when I made up things like that. But tonight she didn't laugh.

II

It was a nice night, a good night, warm and not too hot, when we went walking. We used to go walking a good deal on the roads south of town. You see, it is cheap to walk, and if the weather is cold it keeps you warm and if it is too hot, you can think, "Hell, I'm lucky, walking along here, and not in some stuffy house at a swell party." We would walk down different streets till we got out of town, past some of the fine houses. There was a dumb sort of game we used to play. We would pass a fine house and I would say, as if we owned the fine house, "Well, now, darling, shall we have the champagne again tonight? I'm pretty tired of it, so we might try the Burgundy. And if I have to eat any more quail on toast with caviar dressing I'll be sick." Or I'd say, "You know, those cars in the garage, that Rolls and all the rest, are getting pretty seedy now. We've had them maybe a year. Six months anyhow. We'd better put them in with the garbage and get new ones." And she'd answer in the same way, as if we owned the house and the cars and she had jewelry and furs and I was buying Italian pictures. Dumb, wasn't it?

So this night I started the game again. I tried to start it, anyhow. I said something about the grand piano being out of tune, and how we'd better get a new one because if we hired a tuner he might get mud off his shoes on the rugs and then we'd have to throw them away and it would be a nuisance looking for new ones. But she wouldn't play the game. She looked at me, and held on to my arm tighter, and though the street lamps were shining on her eyes there was no sparkle in them. She just said something about that dollar and a half again — but I guess I'd better quit mentioning that. Then we had passed the

houses and were out of the city limits. I was glad we were. Usually I was sorry, because it was fun to play the little silly game, but this night I was glad.

We walked a long time without saying anything. Usually we talked a lot, but tonight we didn't. I tried a little at the beginning. I said, "You know, the way things look now it shouldn't be over a year before I get that job, the twenty-five-a-week job, and we'll be in the money." But she didn't answer me, except to look up and smile a little in a way that made me nervous, so I didn't try to talk after that. We were on a little side road you maybe don't know. Hardly anyone uses it. It isn't paved and it's too narrow for cars to pass, and it doesn't go anywhere. We liked it because we could be alone on it, and wouldn't get in anyone's way there. You can't get in anyone's way on a road no one uses.

All right, you want me to come to the point. I tell you again it's easy to sit back there and smoke nickel cigars and say come to the point, but it's hard to do it. I don't know where the point is. Maybe I wouldn't know it if it had a sign on it saying, "The Point. Stop Here." I simply have to tell you what happened, what really happened. That's the best I can do.

We had gone maybe two miles, walking slow, when she spoke the first time. She said, "I love you." She said it like that, without giving it expression. As if she were saying, "Isn't it a beautiful day?" or "I think it will rain in a little while." She said it, you see, as if it were simply a matter of fact, with nothing surprising in it. I liked her to say it that way. Maybe you won't see why, but I did. I liked it better than if she had said it in a surprised way, as if she had thought of it suddenly. She had said it before, often, and always in that plain simple way that I liked. It made me feel happy for a minute, and I

was really glad that I was out alone with her and not in some stuffy house at a big party. We stopped then and I put my arm around her and kissed her and she kissed me back very hard. I suppose you think I should be embarrassed telling such things as this to you, but I'm not. Maybe I shouldn't tell them, but I'm trying hard to give you the idea, and anyway I'm not embarrassed. You couldn't embarrass me. Don't bother to figure that one out, it isn't important.

From where we were you could see the lights of town in the distance, and a few little separated pale lights from farmhouses. It was a pretty view, or maybe I told you that before. But tonight we didn't spend much time looking at it. I kissed her again and then we sat down on the bank and held on to each other's hands for a long while without talking. Her hands were cold. You see, her circulation wasn't so good — something was wrong with her heart. She was never strong, and I suppose working hard all her life had something to do with it. But you won't be interested in that, it really doesn't tell you anything you want to know, so we can forget it.

After a while I began to talk to her very fast. I didn't want to talk, but I felt I had to. It's hard to explain why. It was partly because her hands were so cold, and partly because I couldn't seem to make her smile, and her face was so pale with no sparkle in the eyes, and partly because she had been silent so long. You see, I was getting more worried all the time — a confused, funny sort of worry. It was worse than worrying over a job, or being broke, or the overcoat you haven't got. Because I didn't really know what I was worrying about. I think it makes you feel something like a child that wakes up in the middle of the night thinking he has heard a sound, and hearing no sound, and being terribly fright-

ened. Maybe he dreamed the sound, maybe it never happened, and probably if it did happen it was only a door swinging in the wind or a shutter rattling. But he doesn't think of the sound that way—he is just terribly afraid, and begins to see things moving all around him in the darkness.

All right, I'm sorry to be so long drawn out. But you've been asking me questions for a day and most of two nights now, so maybe you'll forgive me if I take a little more of your time.

I was telling you about this worry, this funny kind of worry, that made me talk to her so fast. I can remember what I said pretty exactly. It went like this: "Don't you be bothered now, honey, don't you be bothered at all. We've been on the short end a long time but we've been through it and that job's coming around one day. We can't keep any of those big foreign cars with names you can't pronounce on a salary of twenty-five per, but you can live good on it and have a pretty good time and a house and take in the movies a couple of times a week. And, honey, I love you so much, and we can always get fun out of loving, we've been getting it a long time now, and don't you look like that, you stop looking like that."

That was about all there was to it, except of course there were a lot more words. I repeated myself a lot, like I always do, so I won't put in the extra words—you see, I'm trying to make it short now. I just wanted to give you an idea of what I said.

What did she say to that? Well, she didn't say hardly anything. She just looked up at me, and smiled kind of—smiled so little I had to look close to see that she was smiling at all, had to look at the way her mouth was and then think of the way it was when she wasn't smiling, before I was sure she was smiling at all—and then she

said, "How many years has it been now? Four, five, almost six years. The first year we were so sure it would happen right away. And the second year too. The third year—were we sure of anything the third year? I don't remember. And then there were the years after that, and now this year. And nothing's happened yet."

Then I said, "But that's no way to talk. Because it's going to happen. Things are getting better now, everyone knows that. You wait and watch—it won't be any time at all." And all the time there was that funny worried feeling inside me. Probably you're wondering if I really believed what I said, when I told her it wouldn't be much longer. Well, I believed it in a way, and then on the other hand I didn't. Sometimes I would buck myself up and make myself believe that it wasn't any trip at all to the other side of the moon, and then—well, then I'd fall down flat and feel like the devil and think it was going on like this forever, with me getting nowhere, and with her getting thinner on the dollar-and-a-half she earned three days a week some weeks.

But what you want to know is what I said to her and what she said to me. Well, then she said, "No, it isn't like you say." That's all she said, but I couldn't dispute her. I couldn't because of the way she said it. As if it were a matter beyond argument, as if she had said, "That beast there is a cow; that building is a house; that blue thing overhead is the sky; that sound you hear is made by running water."

So I was just sitting there, holding her hand and feeling worse than I ever had before in my life maybe—worse than when I lost my job, worse than when I didn't eat for days at a time, worse than when I got hit by the streetcar and the company doctor didn't set the bone right because he was drunk and it had to be

broken over again twice — and trying to think of something to say. But she spoke first. She said, "Darling, make love to me, make love to me hard. Now."

III

So that's what we did. We made love, lying there on the bank, being glad that no cars ever came along the road, being glad for each other. We made love for a long time, but you can't make love indefinitely and continuously. We stopped after a while and were just quiet together until she stood up. She wavered a little as if she might fall, and I got up too and took hold of her arm, but she pushed me off. She said, "Don't touch me now. It's been so fine tonight. And it's been so fine other times. It can't go on being fine like that. Not because of us — oh, it's hard to say what I mean — but I know it can't, and not really because of us. We'll get tired and old and worn out and nothing will ever change except to get worse. We'll get gray and bent over and we'll always be cold and hungry and everything and everybody around us will be cold and hungry too. Don't you understand? And pretty soon we won't love each other any more, not because we want to stop loving, but because we won't be able to go on loving. Because whatever it is that makes us what we are now will be gone, all of it, because of being so cold and hungry and worrying so much. And it won't be our fault, but that doesn't make any difference. It's so beautiful now, the way it was tonight. We can still be beautiful together and sometimes for a little while we can forget everything else. But we can't do that forever. It's so hard to say what I mean, and I'm not saying it, not finding the right words ever, but if you try hard maybe you can see some of it."

That is what she said as well as I can remember it, and I think I remember it almost perfectly. I don't think I'll ever forget it, but that won't interest you. I don't think I could forget it if I spent all my life trying to. But I know you're getting restless again. I don't blame you for that, or for anything. It's good to get restless, when you can afford it.

And there I was, standing looking at her, wanting to touch her and not touching her, because she had said not to, wanting to say something and not being able to think of the thing to say, the right thing, the thing that would fix it all up just in a half-dozen words, the way they do it in books. And wanting harder than I had ever wanted anything in all my life not to believe, and coming slowly to believing her, coming in spite of myself to knowing that what she said was true, thinking how terrible were true things, thinking the world would be all right if there were no truth in it at all. And then thinking of the people in the big houses we had passed, the people we had imitated, not disliking them, not liking them either, just knowing they existed and were lucky, and imitating them. And then thinking that I had waited so long for a good job, the twenty-five-per job, and not getting it, and that I probably wouldn't get it, at least not until I was so old or so shot I couldn't want it. And then thinking of the dollar-and-a-half I promised not to speak of any more, thinking of that all the time, while I was trying to think how happy we had been, and that we would go on being happy like that in spite of everything.

There's nothing clear about it, but that's the way it was. I just stood there thinking all those things, wanting to touch her and not touching her because she had told me not to, wanting to tell her she was wrong and not telling her because I couldn't

think of what to say, because I couldn't really feel the words that would persuade her. Maybe you can see us standing there. . . .

But I'm coming to the point now — or maybe it isn't the point, only the end. She said, in a funny, choking voice, "Oh, darling, this is what I want to remember. I don't want anything ever to change this. Good-by, darling." That's what she said, and then she began running.

I don't know whether I knew then what she intended to do or not. I guess I did,

but it doesn't matter. Anyway, she was twenty yards ahead of me in the dark before I woke up and began to run after her.

You know what happened then. She ran to the edge of the quarry and stood there a minute. Her face was only a white spot in the dark, looking back at me. I stopped and neither of us spoke and then she jumped. I don't know whether I could have saved her. I think I could have, but I didn't try. I really think I could have, but I didn't want to. I just stood there and watched her disappear.



SUMMER MEADOW

BY EDWARD A. RICHARDS

THE slender grass now bends with bloom
Without the hurry of the wind;
The day a green and quiet room.
Trees are green clouds; the birds that dinned

The forgotten clamor of the spring
Are dumb and walled somewhere in leaves;
The meadow needs no finishing.
No fear of haymows or of sheaves

Troubles its woven vast suspense.
Its fabric lacks no single thread;
Growth is forgot; the exigence
Of harvest still lies far ahead.

Grass does not know that color fades
Nor that its patterned life will tear
When caught between the mowing blades
Of expectation and despair.

TEXAS COMES OF AGE

BY HENDERSON FAGEN

FOUR days of riding through dusty sagebrush country in August made General Phil Sheridan declare that if he owned Texas and hell he would rent out Texas and live in hell. For two generations, Texans have resented this appraisal; but now they are ready to answer the General. Although the Texas climate remains the same as in Reconstruction days, almost everything else in the State has been changed beyond recognition. The Centennial Exposition which opens in Dallas early this month will acquaint visitors with the transformation the frontier has experienced since buffalo herds and Indian warriors roamed the plains.

Outwardly at least, there is much to justify the claim that the Lone Star State has grown up. Texas raises a third of the nation's cotton and produces nearly as much oil as any other two states combined, and more sulphur than all the others together. She still leads in the number of cattle, although not in value, and is at the head of the list in mules, sheep, goats, and turkeys. America's tables would be scantily supplied without citrus fruits, pecans, yams, spinach, tomatoes, and other foods from Texas; and without her roses, courtship might be far more difficult. Even in education, as measured by the common yardstick of gridiron prowess, Texas has reached a self-assertive stage: though it involved a bit of geographic juggling, last New Year's Day saw the East represented in the Pasadena Rose Bowl by a Dallas

team, while a Fort Worth eleven represented the North in the Sugar Bowl at New Orleans.

Mossback Democrats and shouting fundamentalists are becoming less noticeable in Texas every year. Those who recall that the Prohibition Amendment was introduced by a Texas senator and that in the Harding era the Lone Star populace cringed before the hooded knights of the Ku Klux Klan, would be surprised at the liberalism which has penetrated into the mesquite country in more recent times. Texas has traveled far since the famous iconoclast, W. C. Brann, received a volley of lead in a Waco street because he refused to bow to the hardshell preachers of his era. Even in the most arid Volstead days, the Centennial city was known as Dripping Dry Dallas. But with Repeal now in effect, the Centennial visitor will be able to procure anything from tarantula juice to champagne. If he likes gay women, his wants may be gratified just as easily. Even back in 1895, when Dallas had only about one-sixth of its present population, a committee of local pastors estimated that the city contained more than eight hundred "soiled doves". The oldest profession is just as active today; anyone in long pants is likely to be accosted in front of the hotels or beckoned at from windows of the second-story bagnios which surround the business district. Some of the gals even tour the streets in big cars, seeking to waylay boys from the sticks.

Yet those whose tastes are more intellectual will not be disappointed. Dallas, which tolerated *Uncle Tom's Cabin* at its opera house as early as 1892, gives a big hand to New York shows that come its way and supports one of the best amateur theaters in the country. The city has become an important musical center and boasts a creditable group of young painters. The *Dallas News*, recently awarded the University of Missouri medal for distinguished service in journalism, is credited with saving Texas from domination by the Klan horde and with refusing a fortune in dubious oil-promotion advertising. Other indications of Dallas liberalism may be found in the opening of a birth-control clinic and in the fact that citizens are no longer afraid to place on their library tables books which a few years ago were barred from legal entry into America. Recently the largest bookstore in Dallas—that of the Methodist Publishing House—placed in its window a placard bearing the words, "It's fun to be fooled—It's more fun to know." In the same window were three different illustrated books on nudism, a copy of James Joyce's *Ulysses*, and various books by Marie Stopes, including *Married Love*.

In formal education, as might be expected, civilizing influences have penetrated more slowly. Even in Texas towns as large as Fort Worth, public school instructors do not explain Darwinian theories; and at the University of Texas the board of regents has forbidden the hiring of any teacher who admits "infidel, atheist, or agnostic" beliefs. The church schools are even more hidebound. An educator is likely to lose his job if he disagrees with backwoods fundamentalism, approves the writings of the modern novelists, or suggests that the Biblical dimensions of the Ark might have made it difficult for Noah

to squeeze into it all the animal species extant in his day. It is doubtful, however, if such prohibitions are any stronger in Texas than in other provincial sections.

In addition to ballyhoo of the State's climate, sex appeal, and material wealth, the Texas Centennial, of course, calls attention to the history of the region under six flags. There will be little excuse for any 1936 visitor to stand before the Alamo and ask—as Calvin Coolidge did—what that building was made for. Daughters of the Republic of Texas will be fluttering about the exposition with maps and books and souvenirs to save strangers from the fate of the unshrived Cal. At every turn, the patriotic females will remind the visitor that Cabeza de Vaca carried the Spanish flag to Texas in 1528 and that La Salle brought the French banner in 1685. Little will be said of the Spanish era, however, except perhaps a passing reference to the expedition of Coronado and the much-later occupation of Galveston Island by the colorful pirate, Jean Lafitte. The Daughters will save their breath to extol the glories of the Texas Revolution of a century ago.

This revolt against the despotism of Mexico's would-be Napoleon, Santa Anna, had moments that are glorious enough without any gilding by the Daughters. The defense of the Alamo, unnecessary as it may have been, evoked a heroism unsurpassed in American history. The tragic battle of Goliad was also a brave, if misguided, venture; and General Sam Houston's rout of the Mexican army at San Jacinto, while Santa Anna was taking his *siesta*, was one of the world's most decisive battles. But it is unjust to the memory of these heroes to depict them as a band of psalm-singers. They were rugged frontiersmen whose trigger skill was acquired long before they aimed their rifles at Mexican soldiers. One of the ring-leaders had been

known as a smuggler of slaves, and even the great Sam Houston liked his bottle so well that his Cherokee friends named him "Big Drunk".

Although Stephen F. Austin tried hard to limit his colonists to families of high character, many went to Texas because their old homes had become unhealthy. One early settler, W. B. Dewees, wrote from Texas in 1831:

It would amuse you very much if you could hear the manner in which people of this new country address each other. It is nothing uncommon of us to inquire of a man why he ran away from the States. But few persons feel insulted at such a question. They generally answer for some crime or other which they have committed. If they deny having committed any crime, they are generally looked upon rather suspiciously.

Even some of the Mexicans were discerning enough to realize that their early immigrants from the States were not all from America's élite. Col. Juan N. Almonte, dispatched by the Mexican government in 1834 to survey conditions in Texas, reported at the beginning of the next year, as the revolt was hatching:

The first settlers that emigrated from the United States to Texas, being from the Southern States of that republic, which are considered there as the least advanced in civilization, introduced customs that were somewhat crude. Although fundamentally sound, these customs were not compatible with the manners practiced by persons of good breeding. Lately, however, very honorable and highly cultured families have begun to establish themselves in Texas, especially at Nacogdoches.

After the republic had been annexed by the United States, marks of frontier roughness were still observed. Frederick Law Olmsted, later famous as a city planner and as the father of New York's Central Park, wrote in 1857, after visiting Texas:

In the rapid settlement of the country, many an adventurer crossed the border, spurred by a love of life or liberty, forfeited at home, rather than drawn by the love of adventure or of rich soil. Probably a more reckless and vicious crew was seldom gathered than that which peopled some parts of East Texas at the time of its first resistance to the Mexican government.

"G. T. T." (Gone to Texas) was the slang appendage, within the reader's recollection, to every man's name who had disappeared before the discovery of some rascality. Did a man emigrate thither, every one was on the watch for the discreditable reason to turn up. If your life, in those times, an old settler told us, would be of the slightest use to anyone, you might be sure he would take it, and it was safe only as you were in constant readiness to defend it. Horses and wives were of as little account as umbrellas in more advanced States. Everybody appropriated everything that suited him, running his own risk of a penalty. Justice descended into the body of Judge Lynch, sleeping when he slept, and when he awoke hewing down right and left for exercise and pastime.

Olmsted, perhaps, was as prejudiced in one direction as the Daughters are in the other. Certainly by the time he went to Texas, respectable citizens greatly outnumbered the horse-thieves, land-jobbers, and desperadoes that Lundy, an Abolitionist visitor, had described in a pamphlet of 1836. Sophisticated Texans now realize, however, that the founders of the Lone Star Republic were not as saintly as regional patrioteers would have everyone believe. The revolution was won by hardened frontiersmen who might have succumbed quickly to the rigors of the Indian country if they had been fully civilized.

II

The Golden Age of Texas was the era of the longhorn, which began soon after the close of the Civil War and petered out

toward the end of the century. People still think of the roundup and the Chisholm Trail when they think of Texas, and when Texans go on junkets to Washington or to the Rose Bowl they wear outlandish ten-gallon hats. Longhorn traditions have given rise to a large body of romantic literature, and are still so strong that Centennial executives, assuming that visitors to the exposition will want to buy long cattle horns as souvenirs, have ordered supplies from Africa and India—since the longhorn is virtually extinct in Texas.

During the Civil War, Texas ranches were neglected and the cattle herds multiplied on the open ranges. When the soldiers came home and were unable to sell their beef in local markets, they solved their problem by driving herds northward to railroad towns in Kansas. Unidentified or maverick calves were easily roped and branded, and ranch land could still be had for a few cents an acre. Several of the biggest fortunes in Texas had their origin in the catching and branding of calves of doubtful ownership. Indeed, some of the prosperous ranchmen who warred on cattle rustlers were not themselves as scrupulously honest as they pretended.

The longhorn era saw the establishment of great feudal estates on which the cattle barons generally made and enforced their own laws. The XIT, known also as the Farwell ranch, consisted originally of five Texas counties. Similarly vast was the Goodnight ranch in the Panhandle, noted for its buffalo herd and its specimens of cattalo, a cross between the cow and the buffalo. Most of these great domains were cut down long ago as "fool hoe-men" with barbed wire invaded the range country and as land values and taxes increased. Some of them—notably the Kenedy ranch of 800,000 acres—are still pretty big pastures; but the most notable carry-over from ba-

ronial days was the King ranch, which contained 1,250,000 acres until its partition in 1935. As constituted recently, this principality was nearly as large as Delaware. A month's difference in seasons prevailed between the northern and southern edges. Texans used to say, with a little exaggeration, that the doorstep was a hundred miles from the front gate and that the owner was thinking of moving farther back to avoid the dust. In its latter days, the King ranch grazed 125,000 head of fine cattle, watered with the aid of 265 windmills and hedged in with 1500 miles of wire fence—enough to stretch from Boston to Minneapolis.

Yet this cattle empire, valued at more than \$20,000,000, was founded by a penniless stowaway from New York whose formal education lasted only a year and whose origin was so obscure that the names of his parents remain unknown. When, after rising from cabin boy to steamboat captain, Richard King forsook the quarterdeck and took his bride to a crude adobe hut in a fenceless wilderness, Texas cattle were worth so little that they were slaughtered for their hides and tallow. With the aid of two small cannon, however, King successfully defended his home against Indians and other marauders; and before his death in 1885 he ruled a great buffer state over which he rode in a steel-lined coach.

The period of the longhorn was also that of the cattle thief, the highwayman, and the desperado. Men settled their own quarrels, and often the culprit was full of bullet holes before the sheriff arrived. Gun-toting, even in the towns, was so common that one early Texas college for men made a rule requiring students to deliver their concealed weapons to the president.

The flavor of the frontier has been preserved in the many stories told of Roy

Bean, proprietor of the Jersey Lily saloon and self-appointed administrator of what his sign called "law west of the Pecos". Dispensing whisky with one hand and justice with the other, he became one of the heroic figures of the Southwest. Among the stories about him, it is impossible to distinguish the true from the apochryphal; but the one about the dead Chinese has gone around the globe. An Irishman had killed a Chinese red-handed, but the murderer's friends threatened to wreck Bean's shanty establishment if he gave an unfavorable verdict. Bean looked through his dog-eared law books, then announced: "Gentlemen, I find the law very explicit about murdering your fellow man, but there's nothing here about killing a Chinaman. Case dismissed."

On another occasion, Bean was holding an inquest over a man who had been found dead in the neighborhood. Discovering a gun and \$40 in the pockets—so the story goes—the Judge fined the dead man \$40 for carrying a concealed weapon. Bean customarily pocketed all the fines he collected, justifying his action on the ground that his court had to be self-sustaining.

In taming the Southwestern frontier and ridding the State of Indian raiders and cattle rustlers, the Texas Rangers played a leading part. At the Dallas fair, a whole building will be filled with exhibits of this frontier outfit. In the early days, the Ranger was known for his ability to "ride like a Mexican, trail like an Indian, shoot like a Tennessean, and fight like a very devil", to use the words of Col. John S. Ford. The Rangers were only a small force, but their reputation was such that often the presence of one or two of them was enough to disperse a lynching mob or send a gang of outlaws scurrying for cover.

When, in 1895, it looked as if the heavy-

weight fight between Jim Corbett and Bob Fitzsimmons might be held in Dallas in spite of the State law just passed to prevent it, the mayor appealed to the governor for a company of Rangers. The next day, when Capt. Bill McDonald arrived in Dallas alone, the mayor was disappointed.

"Where are the others?" he asked.

"Hell! Ain't I enough?" was the response. "There ain't but one fight, is there?"

The Rangers evolved from small bands formed as early as 1823 to protect the Texas colonists from Indians. During the brief war of independence and the period of the republic, this mounted but non-uniformed body kept the redskins away from the frontier settlements. In the war with Mexico which followed the annexation of Texas by the United States, Ranger companies served as eyes and ears—and sometimes right arms—for the invading armies of Taylor and Scott. With Texas finally in the Union, the Rangers were virtually disbanded, since the federal government had agreed to protect the frontier. The Apaches and Comanches and Kiowas, however, quickly discovered that the federal troops were green at Indian warfare and began terrorizing the outlying settlements again, killing women and children. Texans set up loud cries for the return of the Rangers. "Give us one thousand Rangers," Sam Houston shouted in the United States Senate, "and we will be responsible for the defense of the frontier. We ask no regular troops; withdraw them if you please."

The army posts remained, but it was the restored Rangers who subdued the redskins and curbed Mexican cattle-rustling on the Rio Grande. They provided their own horses, slept under the stars, and lived mainly on wild game. In the Civil War, Terry's Texas Rangers, composed of former members of the frontier force, dis-

tinguished themselves on more than one battlefield. During the war and carpet-bagger periods, Indians and outlaws again broke loose, with the result that the Rangers had to make a fresh start in bringing order to Texas. In the 'Seventies, they cleaned up several counties in which sheriffs were afraid to make arrests. They also spent considerable time in chasing desperadoes, such as the notorious Wes Hardin whom they bagged in Florida. Among their more celebrated exploits was the capture of Sam Bass, a cowboy bandit who returned to Texas with \$10,000 in gold coins—his share in the famous robbery of a Union Pacific express train at Big Springs, Nebraska. Sam organized a new outlaw band in the spring of 1878 and held up four Texas trains before the Rangers took his trail. He led pursuers through a dozen counties before he was betrayed by one of his former friends and shot down in a street battle at Round Rock.

As the Rangers began to operate less against Indians and Mexicans and more against members of their own race, they lost some of their popularity; yet they remained an effective agency until the era of Fergusonism. Under recent administrations, trigger-fingered Rangers were dismissed to make room for drugstore cowboys who were political hangers-on of the winning faction. The prestige of the force was further weakened by the issuance of special Ranger commissions to dentists, barbers, wrestling referees, liquor dealers, night-club bouncers, and gambling-house operators. Even Elliott Roosevelt could once call himself a Texas Ranger. In Ma Ferguson's last year in office, more than 2000 held these special commissions, while the paid force dwindled to about thirty men. Finally, the shattered organization became a subject of public ridicule in the spring of 1934, when Clyde Barrow, the

bank bandit, and his cigar-smoking moll cruised back and forth across Texas by automobile without molestation. Ironically, these two later were shot down by a party led by a former Ranger captain who had been dropped from the force by Ma Ferguson.

James V. Allred, the present Governor, has canceled the special commissions and placed some of the old members back on the force. He also has signed a new law which reorganizes the Rangers and seeks to modernize their methods. These changes have been welcomed by Texans who would like to see the outfit regain its old vigor; but as the Rangers' recent activities have been confined largely to quelling strike disorders and raiding night clubs, there is little incentive for men of the old type to enlist. The story-book Ranger who lived in the saddle and carried two six-shooters in his belt has gone forever; the guns which the Centennial displays quit barking long ago.

III

For sixty years, as exposition visitors will learn, the story of Texas has been one in which farmers and fences pushed the cattlemen westward, and in which cotton finally displaced beef. Most of the "fool hoe-men" have prospered; but others, lured by real estate promoters, have sunk their savings in sagebrush desert. Even today, it is a common saying that chambers of commerce in western and southwestern Texas compute their annual rainfall by adding two to the government figure and multiplying by three.

In recent years, cotton has been displaced by oil as the most valuable product of Jack Garner's bailiwick. Texas has been producing oil commercially for nearly half a century, with the volume rising almost

continuously. The last big spurt began when, in October, 1930, Columbus Marion Joiner discovered in East Texas the world's largest oil reservoir. Today this field alone supports nearly 20,000 producing wells, and some operators are still using underhanded means to evade proration regulations that crimp their output in the interest of higher prices. In the Panhandle, Texas has the world's largest reservoir of natural gas—but it will not last long at the current rate of waste.

A number of Texans not fortunate enough to own oil wells have been making money equally fast by selling fake securities to suckers. Fort Worth, the capital of this industry, was estimated a few years ago to have eight hundred fake oil companies that brought at least \$3,000,000 a year to 25,000 swindlers. New federal and state laws have made harder the path of the oil-stock racketeer; but only a few months ago three men in Dallas sold a worthless lease for \$16,500.

Politically, Texas has only partially freed herself from the domination of Jim Ferguson, who was impeached and removed from the governorship in 1917 on charges of misappropriation of public funds for his own profit, violation of the State's banking laws, and attempts to impose his autocratic will over the State university. The highway department has been rescued from its former slough of waste and crookedness, but some of the other governmental branches are still in want of a disinfectant spray.

Concerning Texas crime, the Centennial publicity men have little to say. Dallas had eighty-five murders in 1934, with only nine convictions. A recent compilation gave this city the fourth highest per capita murder-rate among American cities. With reference to population, Dallas had three and a half times as many slayings as Chi-

cago and seven times as many as New York. In other parts of Texas, life has been almost as cheap. A committee of the State Senate reported recently that "men are slain in this alleged Christian land for less silver than led Judas to betray his Christ".

Last year, while Uncle Sam was handing over \$300,000 to replace the courthouse at Sherman which an infuriated mob burned in 1930 for the sake of killing a prisoner, Texas staged two more lynching bees. But the Centennial visitor need not worry about being lynched. His greatest physical risk will result from reckless automobile drivers, who in 1935 killed 113 people in Dallas County alone.

The arrival of the Centennial, however, has spurred Texans toward improving their crime and accident records—and their health record as well. Despite the mild winters, the State's health chart has remained spotty. The government has been spending more for eradicating ticks than for improving the health of its citizens; recent figures show Texas in forty-fifth place in public health expenditures. Federal aid is now being used, however, to reduce the ravages of malaria in southeastern Texas; and Dallas is beginning to awaken to the danger of venereal disease, from which an estimated 30,000 of her citizens suffer. Some of the other Texas cities still insist on keeping their heads in the sand. In San Antonio, the local chamber of commerce recently quashed an exposé of health conditions for fear that tourists would be scared away.

Such unpleasant matters may well be brushed aside, of course, in celebration of the one-hundredth anniversary of the Alamo and San Jacinto. Those who come to the big *fiesta* in Dallas will receive a big-hearted Texas welcome and will find plenty to interest them. If Sally Rand is

not on the grounds, the fair presents a naked lariat dancer and plenty of other entertainers. Horse races, polo matches, and an air derby are among the sports events of this fifteen-million-dollar birthday celebration.

For those who have not seen Texas, there are even greater attractions outside the central exposition than within. Side trips to San Antonio's missions and Galveston's casinos will interest many. In

fact, a jaunt from the pine woods of the southeast to the mountains of the Big Bend and the high plains of the Panhandle will be an eye-opener for the tourist. Such a trip will convince him that if Texas has not yet fully matured she has at least come of age. Only when the visitor encounters a sand storm on the western plains or gets a strong whiff from the Dallas dumps will he be reminded of the appraisal once made by General Sheridan.



FROST IN DARTMOOR

BY LEILA JONES

THE old folk cry "The ammil's on!"
 When all their world, bemused by frost,
 Hangs on a thread of thinnest sleep.
 Only the wand of Oberon
 Up from a pure and chilly deep
 Might weave such dream to fretted cold.
 The berry thickens in a hood
 Of crimson crystal, and the grass
 Changed to a pale translucent wood
 Lifts little javelins of glass.
 The statue at the fountain's brink
 Drips silver to a soundless stream.
 All huddled wait the sheep in fold
 And starry-coated cattle drink
 An icy brew at morning's break
 To feed upon a fare of gold.
 Here must the heart be sorrowless,
 Nor any watchful steeple shake
 Wild bells above a gestured dream
 That to a living sigh might wake.

EDITORIALS

The Conventions

IT is to be hoped that the surviving liberals of the Republic, in their visceral yearnings for a healthy mutiny against the bureaucratic drill sergeants of the current political order, are not deluding themselves with any fond expectation based on the deliberations of those two great bodies of American statesmen who are to meet this month for solemn conclave in Cleveland and Philadelphia. It would be reasonable to anticipate theoretically, in the coming election, a clear-cut choice between the collectivism of the New Deal and a more native American brand of government. But if any such fancies are stewing in the liberals' minds today, a glance at the practical problems of the campaign, as Republican statesmen envisage them, should clarify the errors of optimism.

The Republican tacticians, as their pre-convention backroom and radio confidences reveal, have about as much interest in going down with a sinking ship, whether under the liberal or any other flag, as a Mississippi lynching victim has in bonfires. To keep the craft afloat on the bare chance that it may sneak into port a nose ahead of its rival and so have first crack at the spoils and the women, the G.O.P. strategists are prepared to sacrifice the armor plate, the port and starboard batteries, the torpedo tubes, the crew's grog, the junior officers' cocktail cherries, and even the captain's silk underpants. This is a delicate and metaphorical way of indicating that the Cleveland convention, at the present outlook, is ready to

sacrifice so many of the fundamental principles of rugged individualism and to rub so much New Deal bear grease into its hair that the Republican Party will be unrecognizable save as a moderately Right-wing section of Mr. Roosevelt's Moscow ballet.

Such a state of affairs is as regrettable as it is actual. But as long as politics remains a business from which thousands of men, unable to earn a living at any other occupation, do manage to draw handsome retainers, its guiding spirits will continue to be interested in one thing only—jobs. And the spoils of office are what Republican politicians have lived on fatly and enjoyably, with a few poignant interludes, ever since Mark Hanna was a rising young industrialist. To win back these jobs next November, the G.O.P. tacticians would willingly, if it caught the fancy of enough voters, pledge themselves to inaugurate the teaching of the art of love in all public schools. Any question of principle, the better nature of the delegates, or the moral ideas of statesmen, becomes inconsequential when balanced against the life-and-death problem of getting back to the trough. What will take place, accordingly, is all too obvious.

For the only way to win back the jobs is to regain control of the several million voters who are at present attached to Mr. Roosevelt by practical self-interest or congenial metaphysical tastes rather than by incurable party ties. There is just one sure procedure by which these drifters may be

re-corralled — and that is to offer them something closely resembling the product Mr. Roosevelt is currently offering, but which can be effectively ballyhooed as a whole lot better. Therefore, when the Republican seduction spinners gather for their work, they will have in mind the voters who turned against Mr. Hoover because the banks blew up in their faces; the voters who desire the government to take them by the hand when they go to the boss and ask for a raise and full pay during absences due to relatives' funerals; the voters who look to the government as the fairy godfather of the More Abundant Life folk-legend; the voters who have languidly adjusted themselves to boondoggling and the Relief life as a fleshly Nirvana; and the voters who have believed at one time or another that there is something in Technocracy, Social Credit, and Dr. Townsend. Come rain, sleet, or snow, these voters must be taken care of. They will be wooed with promises of bigger and fancier donations to their private incomes, and other tender and more intimate diaper-changing services from a sympathetic bureaucracy. All the lusts and longings and wishful night-sweats of these hankering multitudes will be, so far as God gives guile to the G.O.P., appeased. The oratory at Cleveland may dedicate some gaudy flourishes to Lincoln, the Libertarian, and to Coolidge, the Anti-Collectivist, but the body of doctrine will be begot in the dark of the moon, by Tugwell, out of Weasel-Words. With this much to guide him throughout the campaign, the candidate can be trusted to confront Mr. Roosevelt frankly as a rival faith-healer dispensing a superior brand of Social Justice.

Thus the old-fashioned liberal finds himself faced with a choice between the Tugwellism of Jefferson and the Tugwellism of Lincoln — which is one hell of a choice.

The radicals will be able to vote honestly for the Socialist or Communist candidates: but the liberal with a still stubborn faith in constitutional self-government and a hankering for individual liberty will find nothing on the other end of the balloting machine except a dirty curtain. He can console himself, however, with the thought that it has been ever so, and by the knowledge that issues involving liberalism in the Republic are seldom settled by major party struggles, much less by party platforms. Prohibition, he will recall, was slain in its prime by laughter and nullification — while both parties were still slobbering verbal devotions on the carcass. In the same way, NRA was already rambling wall-eyed and limp-jointed through the jeer-poisoned pasture when the nine old handymen cut it down. And the League of Nations whimsy was dispatched by a hard-boiled public long before the Democratic Party could make up its mind to let go.

We Americans are a mirthful people, with a gift for cruel laughter. New Deal collectivism may survive the ballot box next November only to get, in the Lord's good time, what Major Bowes' tyros receive when their amateur quality has been fully and unquestionably established — the gong.



The Ethics of Homicide

The illustrious and conscientious Marland, Governor of Oklahoma, is reported in soul struggle. The reason for his sweat is a legislative proposal to reprieve all condemned felons whose only fault has been that, in the transports of love (a notoriously irresistible force), they carelessly slew their sweeties. This is no staggering news.

The crime of passion has long been con-

sidered but an amiable weakness; and any action by the good Marland will probably come to its beneficiaries as but one more manifestation of the Abundant Life. There have always been, of course, conditions under which it is comparatively safe, though illegal, to kill; and there have always been classes who might be killed, if not with impunity, at least without rousing any great public indignation. But there is evidence today, in all the New Utopias, that these "outlaw" groups are increasing, the principle being that disagreeable people have no right to live anyway.

For example, it has long been considered eminently proper to shoot a blackmailer. And it is all right (even laudable, since public expense is saved thereby) for gangsters to erase one another. The unwritten-law-murder, a near relative of the crime of passion (and considered by some authorities to be a sub-division of it), is also a highly esteemed breach of the peace. To plead the unwritten law in extenuation is so generally efficacious that a failure of the plea is more newsworthy than a success. Its efficacy has seldom been better demonstrated than in the recent case of Mrs. Etta Reisman, a respectable matron of suburban New York. Mrs. Reisman was convicted by a jury of killing her husband's mistress — and given a suspended sentence by the court.

The case of La Maxwell, the celebrated "Curfew Girl" of Pound, Virginia, brought to public view the interesting hypothesis that parricide is a minor matter, provided the parent is obnoxious enough. But the formulation of the theory was unfortunately attended by an uprising in which all the problem children in the hill-billy regions set out to remove parental restraints with club and gun. As a result of this filial purge, the popularity of parricide has momentarily been dimmed.

Then again, the public is quicker to forgive the killing *of* a law enforcement officer than a killing *by* one. There was great and proper indignation, during Prohibition, when persons suspected of bootlegging were slain by injudicious dry agents. Yet many tears were shed over poor Mr. Alderman, the eminent rum-runner, when he was hanged for murdering a secret service operative and two coast guardsmen. And, more recently, would there have been so many headlines if it had been one of the New Jersey deputies who was shot, and not the embattled Mrs. Crempa? The same inconsistency may be observed during labor disorders: the killing of a strikebreaker is a virtuous act, that of a deputy sheriff a matter of indifference; but let a striker die, and the heavens are rent.

In the same way, it is notably heinous for fascists to massacre their enemies; but for communists it is a work of piety. Thus there was international breast-beating over the death of Matteotti, while concurrent attempts to assassinate Mussolini were regarded, on these shores at least, as good clean fun. American horror at the Nazi blood purge of June, 1934, was spontaneous and commendable; but when, a little later, the equally bloodthirsty *Führer* of Holy Russia demonstrated what liquidation really was, the business was looked upon as a high moral necessity.

This is all very confusing to the student of ethics. When is a dictator a murderer and when is he not? At just what point does he cease to be a red-handed butcher and become a Savior of the People? Some years back Signor Mussolini was considered, on all sides, to be a killer pure and simple; then, by degrees so gradual that one hardly knew when the change took place, he became a benefactor and is regarded as such by many decent people to-

day. (It is said that *Il Duce* was so forgiven because he made the trains run on time.) Similarly, Comrade Stalin was reputed, not so long ago, to be a fiend in human form; yet today he is hailed by a not inconsiderable number of Americans as a lofty and compassionate altruist. Does this mean that there is a statute of limitations on atrocities? And if so, how is a Radcliffe student working for her doctorate in ethics to know when a dictator-benefactor ceases to be a dictator-murderer?

In the interests of clarity, may we suggest that the people who seem to be best informed on these matters let the rest of us in on the secret? For instance, the editors of the *New Republic* might print a chart each month stipulating the currently correct attitude toward Stalin: the curve could start at the bottom with the liquidations — in the red, so to speak — and continue upwards and off the page to air-conditioned mummification under glass. The more reserved *Nation* might perform a similar service on Mussolini — perhaps in the form of a railway time table. And the development of Herr Hitler, at present going through the butcher stage, might be reported, say, by the *American Legion Monthly*, with pictures and text describing the whole business from cocoon to butterfly. This information would be an immense boon to the uninformed public.

For these are indeed murderous times, when every sort of homicide has its apologists. Soon, perhaps, the only killing to excite widespread disapproval will be the legal execution of a duly-convicted murderer.



Meteorological Note

On the eastern shore of the Adriatic Sea lies the little country of Dalmatia. Its

people, though they lead generally happy lives, are much bedeviled by one irritating nuisance. This is a great gusty wind of hot air which blows over them from the northwest. The wind is known locally as the Bora.



The Supreme Court

As remarked frequently in these pages, a familiar technique of both communists and New Dealers is to corrupt an important issue by refusing to face it squarely. For example, the Comrades moan that their capitalist taskmasters deny them freedom of speech and assembly, this teary lament serving to camouflage the fact that they themselves, if empowered, would immediately deny such freedom to everyone else. In the same manner, the New Dealers attack the Supreme Court on the grounds that the tribunal is un-American, reactionary, and in fact illegal, the maneuver serving to detract attention from an irrefragable truth: namely, that the Constitution is the fundamental law of the land; that it must be interpreted by a court and not by a congress, according to the express intent of the men who framed it; and that there are legal and forthright ways of amending the Constitution and even of abolishing both it and the Court whenever a majority of citizens so desire.

The Brain Trusters, however, cannot face the issue squarely; they elect to skulk at the fringes of honesty. A perfect example issued recently from the busy mouth of one of the Happy Borrower's most esteemed henchmen, Donald R. Richberg. In striving to prove the remarkable thesis that the Constitution does not mean what it says, and that it specifically provides for its own abolition, Dr. Richberg observed:

If, in the opinion of a majority of the Supreme Court, a federal law, in attempting to provide for the general welfare or to regulate interstate commerce, goes too far in the direction of controlling matters of local concern and in restricting the powers of local self-government, the decision of this issue of public policy should not finally rest upon the political or economic opinions of the judges but upon the deliberate judgment of the people acting through their elected law-making representatives. It would be wholly inconsistent with the principle of our Constitution to provide that when a law not clearly prohibited by definite language in the Constitution had been found constructively unconstitutional by the Supreme Court, then the Congress should have the authority to re-enact the law, notwithstanding the construction placed upon the Constitution by the Supreme Court.

This is a typical New Deal flanking tactic. Dr. Richberg knows, and has known ever since his dormitory days, that a constitutional amendment providing for the abolition of the Supreme Court can be submitted tomorrow to that tractable collection of "elected law-making representatives", and that they in turn can submit the amendment to "the deliberate judgment of the people". This procedure, however, would be the legal and straightforward way of going about the matter; and hence is not to be considered. Note also a singular use of language in the assurance that the "issue of public policy should not finally rest upon the *political or economic opinions* of the judges, but upon *the deliberate judgment* of the people acting through their elected law-making representatives". In other words, a Justice of the Supreme Court is influenced, when forming an opinion, by the political party to which he once belonged and by the amount of money in his checking account; while a congressman from Iowa, in the dignified quiet and decorum of the House,

renders an honest, careful, and deliberate judgment. Even a Brain Truster should gag at that.

In this same pungent slice of Richberger will be found the conditional phrases: "If . . . a federal law . . . goes too far . . . in controlling, etc.", and "when a law not clearly prohibited by definite language in the Constitution, etc." These statements appear somewhat logical until the question is asked: "*Who* is to decide when a federal law goes too far and when it is not prohibited by the Constitution?"—for the function is precisely the one now being performed by the Court. If the function is to be taken from the Court, who then is to make the decisions? Congress? La Perkins? The Dead Letter Office? Or Donald R. Richberg?

The New Deal dialectic is rife with such contradictions. No doubt they are excellent yokel-bait; otherwise the former assistant *Führer* would not pontificate them. But upon close examination, they make sad and obstinate reading. Who can grant intelligibility, for instance, to this Richberger:

The zeal with which the Constitution is being defended by the conservatives threatens to undermine its very foundation.

Or the following, from the learned editorial page of the New York *Daily News*:

It remains to be seen whether the American people will consent to be governed by a body of nine old men, all of whom were appointed for life by Presidents now dead or repudiated. This body has now become the sovereign power of the United States, not only in judicial matters . . . but also by arrogation in legislative and executive affairs as well.

Perhaps the best answer to these imbecilities is that given by the Court itself. Mr. Justice Roberts, reading the majority opinion in the AAA decision, said:

There should be no misunderstanding as to the function of this court. . . . It is sometimes said that the court assumes a power to over-rule or control the action of the people's representatives. This is a misconception. The Constitution is the supreme law of the land ordained and established by the people. All legislation must conform to the principles it lays down. When an act of Congress is appropriately challenged in the courts as not conforming to the constitutional mandate, the judicial branch of government has only one duty—to lay the article of the Constitution which is invoked beside the statute which is challenged and to decide whether the latter squares with the former. All the court does, or can do, is to announce its considered judgment upon the question. The only power it has, if such it may be called, is the power of judgment. This court neither approves nor condemns any legislative policy. Its delicate and difficult office is to ascertain and declare whether the legislation is in accordance with, or in contravention of, the provisions of the Constitution; and, having done that, its duty ends.

This is obviously horse-and-buggy stuff—it is written in plain English and it means what it says. But it may have considerable value some day. As an early American antique, for instance.



Concerning Spot News

One of the most curious assumptions of American journalism is that the average newspaper reader is conversant with every fact, date, event, and malpractice in recorded history, from the first flinty drawings of the Neanderthal down to the esoteric charts of today's tabloid astrologists. Not only is this evident of the baseball writer who assumes that his reader recalls Babe Ruth's batting averages all the way back to the 1912 days in Baltimore, and the

financial expert who assumes that his reader recalls each one-point rise of General Motors in 1929, and the music critic who assumes that his reader recalls every *opus* in the Beethoven catalogue, but it is particularly evident of the general news reporter, who assumes that *his* reader recalls every detail of a speakeasy murder case, a New Deal feud, a canebrake African war, or a Balkan cabinet crisis—and writes his copy accordingly. Hence, since a fourth of any day's news consists of "follow" stories, *i. e.*, stories dealing with matters previously aired in print, the perusal of the daily paper becomes a maddening and goading task; one reads of facts only half-understood, encounters personalities only half-identified, views pictures of events only half-described.

In but one section of the paper is the rule abandoned—the obituary section. Here, whether the deceased is a former occupant of the White House or an animal husbandry teacher from the Dakotas, it is the custom to recapitulate every known fact of his career—and many that are unknown. Thus it is little wonder that in most newspaper offices the obituary page is a feature which pulls circulation out of all proportion to other and gaudier baits. Indeed, it is the one news department that makes sense. As for the balance of the world's happenings, you have to wait for a magazine like *Time*, which offers news in large and juicy pieces, so that the matter under discussion is traced back to its origin and the whole story laid out in chronological order.

One reason for the malaise in journalism is that the American reporter, when assigned to a murder trial or a similar day-to-day item, soon becomes so familiar with the principals and their background that he presumes the reader is equally well informed, and feels that any explanations

about the case would be superfluous. Thus he begins today where he left off yesterday, and the casual reader is left to figure out things as best he can. And as if the reporter's dereliction were not sufficient, it is a tradition of copyreaders that every line in a story which is not spot news is a horrible encumbrance, and should be slashed out and dropped in the wastebasket. Hence the newspaper subscriber, unless he hoards back copies of his favorite sheet, is confined to reading about those events which transpired between yesterday's sun-up and dark.

This practice does make for brevity and directness, but it also calls for considerable mental effort on the part of the reader. And if the records show anything, they show that the great gains of American

journalism have been built upon the postulate that the reader has no mentality whatsoever. This is evident in all the fancy circulation features: the comic strip and the crossword puzzle, the daily health article and advice-to-the-lovelorn, the roto-gravure section and the serial novel, the eight-page sports supplement and the box on horoscopy. Publishers who have bid for the intelligentsia have gone broke; publishers who have discovered new aspects of mass-stupidity and exploited them, have got fabulously rich, whether by name Bennett, Hearst, Pulitzer, Scripps, Munsey, or Macfadden. Why, then, do the entrepreneurs of today handle their spot news as though their readers were one and all practicing editors of the Encyclopedia Britannica?



AMOR PATRIAE

BY HELENE MAGARET

I WILL forego hemlock and birch,
Follow the crows that sack the prairie,
And forgetting the mountain laurel search
For the scantily growing elderberry.

Ragweed and mustard, dust and drouth,
These are the things that I declare
Lovelier than the red-lipped South,
Racier than the salt sea air.

Not that my heart now grown forlorn
Must find a sterner homestead. . . . Only
Here on the plains my Love was born.
How can I think the plains are lonely?

AMERICANA

ARKANSAS

New progress in Higher Education at Commonwealth College, as described by the *Fortnightly*, a publication of that great seat of learning:

Last Sunday night's forum titled "What to Do Under Arrest," proved to be one of the most interesting and timely of any we have had for several weeks. Because they realize that under present conditions, the police and courts will be used against labor, two of our student body were more than willing to give us the benefit of their experiences while in the hands of the law.

CALIFORNIA

A WRITER in *Rational Living* lashes out at women's paint and finery:

How can you go out with lips that are reddened like some bleeding wound or some indecent organ? Or rather like some unappetizing piece of raw flesh that has been artificially restored by an injection of a chemical? Or, in the best case, perhaps like the badly drawn lips of a cheap sawdust doll hurriedly made in the factory by inartistic workers? . . . But the greatest harm is the one done to the *mind*. Cosmetics cheapen the mental faculties of woman, force her to be occupied with trifles, keep her from further progress. . . . Can you imagine a Louise Michel, a Rosa Luxemburg, a Clara Zetkin, a Mother Jones using lipstick?

DISTRICT OF COLUMBIA

A GROUP of Mr. Roosevelt's servants of the people make a frank confession, as reported by the inimitable *Variety*:

One day last week, photographer for *Time* mag visited the Federal Communications Commission to snap members sitting around the council table in stiff formal poses. After making several stereotyped shots, fotog asked commissioners to relax and let him make a picture of them "as you usually are at work". Request brought a snapper from one member who asked with mock astonishment, "Are you serious? Are you by any chance getting this picture for the sports page?" Whole group broke out in one of the best belly-laughs heard in commish quarters for months.

A GREAT American Statesman, head unbowed, takes an unequivocal position on a paramount issue, as chronicled by the *New York Herald Tribune*:

Senator William E. Borah, of Idaho, commenting on the promise of support from Dr. Townsend, old-age pension leader, said he was glad to have it. He would not comment further.

GEORGIA

THE HON. HENRY GRADY COUCH riffles the dictionary and puts the English language through its gaudiest paces, in the *Statesman* of Atlanta:

SI MOMENTUM REQUIRIS, CIRCUMSPICE

It is time that these political hessians and political hyphenates throughout the state of Georgia, cease hurling their vituperation and vilification at the Honorable Eugene Talmadge, governor par excellence of the empire state of the South. The governor has assiduously espoused the cause of justice to his legion of loyal satellites throughout the state, and he will continue to as long as he breathes the gentle zephyrs of the salubri-

ous atmosphere of this grand old state — Georgia!

The Governor has been indefatigable in his many efforts to restore the equilibrium of conditions in the state, and to liquidate the debts without further plunging into a saturnalia of extravagance, for which the people would certainly have to suffer.

I have on many occasions heard people say that Eugene Talmadge has become an apostate to his party, and was the worst political patricide recorded in the pages of Georgia's fair history. Instead of this being true, it is just the reverse, for he possesses all of the characteristics of an Andrew Jackson — he is not *primus inter pares*, there are no "*pares*", and he stands out today as Georgia's greatest statesman, loved and endeared by those who cherish the inalienable prerogatives guaranteed by our sacrosanct Constitution — that magna charta of human liberty, which is greater than any man or group of men. This venerable document which the governor is laboring to preserve belongs to every American citizen, it is his greatest palladium, and without it there would today be trouble in our land.

ILLINOIS

PEARLS of wisdom offered to a pair of Middle-Western Comrades by the omniscient health expert of the *Daily Worker*:

[Q.] My husband and I are unemployed and live with my mother. We have no incentive for getting up early and so every day we sleep until noon and longer and at night we go to meetings and afterward sit up and read and talk until sometimes as late as 3 a. m. Is this really dangerous to our health (sleeping so late)?

[A.] We feel . . . that you are sufficiently class-conscious so that you can do useful work in spite of being unemployed. Are you reading revolutionary literature? Have you tried your hand at organizational work of the unemployed? How about selling the *Daily Worker* or *Health and Hygiene*?

ADVANCE of handicraft in the Windy City, as heralded by the United Press:

The Chicago Better Homes Exhibit today invited mothers of babies less than a year old to enter the first midwest diaper changing contest. The race will be against time — each mother using her own baby — and an expert will be on hand to judge technique.

MICHIGAN

JIM FARLEY's learned appointees make a slight error in a noted painter's present address, according to the erudite *Toronto Mail and Empire*:

Recently a valuable Van Dyke, "Portrait of General Roost," was shipped from Toronto to Detroit for sale. After a day or two in consultation the picture was shipped back to Toronto with the following message attached: "United States Customs demand certificate on consular declaration stating why the artist is unable to sign the customs declaration in person."

MINNESOTA

YET another advance of the Higher Learning as reported by the Associated Press:

Dr. J. F. McClendon had the fly situation pretty well in hand today. The University of Minnesota physiologist keeps an air rifle by his side in laboratory or classroom. The faintest buzz of *Musca domestica* — that's what he calls a house fly — rouses him to action. He grabs the gun, takes careful aim and fires. The unlucky fly, students say, invariably drops.

NEW MEXICO

THE price of votes, as indicated in a dispatch to the observant New York *Sun*:

The WPA program in the little town of Bernalillo calls for road improvements costing \$73,254. In addition the Federal Treasury will pay out \$10,403 for a community center program which includes among other things the construction of a handsome swimming pool and picnic benches and tables. The WPA will also spend \$6910 there on a community gardening project.

In all, the Treasury will be nicked for \$90,567. The population of Bernalillo is 405. The expenditure represents over \$1000 per family.

NEW YORK

ANOTHER lush scheme to help the New Dealers empty the Federal Treasury, as reported by the Associated Press from the thriving metropolis of Massena:

Fifteen fathers who believe Uncle Sam should help in the support of large families estimated that their proposal would cost the government \$2,000,000,000 a year. Each of the fifteen has from five to eight children. They decided to seek Federal grants of \$50 for each of the first two children and \$100 for each additional child. Federal aid would continue until the child reached 18 years of age or until it became independent.

How the money would be raised was admittedly the real problem. The men approved taxation whereby the wealthy would bear the brunt of the necessary levy, but were against any taxation that would burden "the common people".

A NEW Comrade-visitor to our shores, evidently never having heard of the Tell-It-To-Sweeney Club, nevertheless easily qualifies for membership in his first interview with the New York *Times*:

Constantine Umansky . . . frequently described as the Soviet's chief censor for foreign news . . . said that the title was "not quite correct".

"Of course," he added, "there is the matter of interpretation. Sometimes we have had to argue with foreign correspondents, but under our system no change in messages was ever made without the agreement of the correspondent. There is no such thing as secret censorship. The opinion of the correspondent is never questioned. The only question ever raised is a possible misstatement of facts."

THE Rotarian spirit enters the Movement, according to a neophyte communist in the *Daily Worker*:

We hate to complain, especially at first when our fire is kindling, and so we new comrades ask you older members that when you shake our hands in saying "hello" and when you say "welcome, comrade," let the word comrade mean something; let it be a warm greeting, in short, have it mean COMRADE!

OHIO

STYLE innovation introduced by Youngstown Amazons and reported by the United Press:

Perplexed Youngstown druggists discovered today why they have been unable to keep wide adhesive tape in stock the last few weeks. The reason: Adhesive tape is supplanting girdles in the favor of Youngstown's well-dressed women. It all started when one young matron appeared at a party in a gown described as "just a bit snug" and not a single wrinkle appeared at the hips. Some use gasoline to remove the tape, others wear it between parties, but the young lady with the steel nerve just clenches her teeth and rips it off.

WISCONSIN

THE REV. HAROLD H. ECKERT of Reedsville describes a shocking occurrence:

Some time ago I made a trip with a certain friend and stopped at his grandfather's house for supper. Due to some reason or other the grandfather had not received an introduction to his company which really acquainted him with his grandchild's companion. Supper time came. All were seated at the table. All was quiet and naturally the writer bowed his head thinking that the grandfather would pray. But, instead, he bellowed heartily: "God damn it, pitch in!" . . . My appetite was spoiled.

IN OTHER NEW UTOPIAS

ENGLAND

INSIDE dope on the Anglo-Italian trouble comes to light at last in a letter to the *Oxford Mail*:

I have recently been very much struck by the low opinion which the Italians seem to hold of the English nation in general. Is it not possible that this contempt was first aroused by the example set by the poets Byron and Shelley when they lived at Lerici, near Leghorn, with Clare and Mary Godwin? Such proceedings can hardly have aroused feelings of admiration or respect for the nation which had produced them.

Two great humanitarians are fittingly honored for their celebrated loving-kindness, as chronicled by the London *Daily Telegraph*:

The Royal Society for the Prevention of Cruelty to Animals has asked the Emperor of Abyssinia to accept the Silver Medal for Meritorious Services. This is the Society's highest award. It is to be in recognition of the Emperor's having presented land on which an animals' hospital has been built, and for his support of the Animal Protection Society in Abyssinia. His daughter is Vice-President of that society. In 1933 Signor Mussolini was awarded this medal for declaring the island of Capri a bird sanctuary.

RUSSIA

Joys of home life under regimentation, as reported to the New York *Times* from the happy land of the Soviets:

For some time Moscow subscribers have been annoyed by frequent ringing of the telephone only to get no reply when they answered. This happens morning, noon, and night. Sometimes, although there is no reply to the subscriber's angrily repeated "Allo," he clearly hears some one breathing at the other end of the wire. Most foreigners decided that the trouble was simply secret agents checking up to see if the foreigners were at home. But today the real explanation came out. It is Stakhanoffism.

In an effort to speed up service an inspector in each exchange walks around with a stop-watch in hand making false alarm calls on numbers selected at random. The

inspector listens in while the operator makes the connection. Then when the subscriber answers, the inspector clicks her watch and records the elapsed time. The operator gets a good mark on her Stakhanoffite chart, while the subscriber gets good and mad and goes back to bed.

THE glorious new Soviet prosperity, which is currently suggested for America, succinctly summed up in a dispatch to the New York *Times*:

Soviet statistics published today reveal wage increases and more abundant food purchases for Russia's 24,700,000 industrial and office workers. They show the average wage last year was 2271 rubles. In terms of the ruble's present actual purchasing power at world-price levels—namely, 20 or 25 rubles to the dollar—the 1935 average wage represents, roughly, \$90 to \$114 a year.

INCOMPREHENSIBLE phenomena recorded by Edmund Wilson in the jeweled pages of the *New Republic*:

I am continually surprised at finding Russians who are crazy to go to America. I tell them there is a capitalist crisis there with many people out of work; but, though their own newspapers and official publicity are continually telling them the same thing, many people don't seem really to believe it.

SWEDEN

AN OLD American custom is adopted, but slightly mismanaged, in Hambroe, according to the Associated Press:

The newly married couple stood blushing in front of the church. In accordance with a custom of the district the bridegroom's brother proudly raised his shotgun to fire a salute of honor. He fired once. The second time he slipped as he pulled the trigger. The bride and her sister were taken to the hospital—suffering from numerous shot wounds.

THE STATE OF THE UNION

BY ALBERT JAY NOCK

Segregation for Utopians

IN BELGIUM lately I heard of a new way of dealing with certain types of lunacy. I was not enough interested to follow the matter up, so I can speak of it only by hearsay. I think the poet Maeterlinck has written something in praise of the plan, but if he did I have not read it. However, strict accuracy is not necessary for my purposes at present, so it will do well enough if I give the salient points of the system as they were reported to me.

My understanding is that the patients are not kept in asylums, but are allowed to range quite freely in the open, where they are encouraged to take up practically any and every kind of outdoor pursuit that strikes their fancy. They cultivate the soil, raise flowers and vegetables, and carry on various occupations and diversions, all in an almost complete absence of restraint. They are not kept away from one another; on the contrary, they fraternize freely, and their communal life seems to be much like that of so-called sane people, except that they have no responsibilities to speak of, and hence no worries.

According to my information, the plan works well. The patients do not stray off the reservation. Each one develops a set of interests of his own, which he follows avidly, thereby keeping himself busy, contented, and apparently happy. Freedom of social intercourse enables them to ride their several hobbies to their hearts' content, for one another's benefit. They discuss their various beliefs and persuasions, try to convert one another, and thus enjoy a social life which is

satisfactory enough to keep their thoughts from straying to the world outside.

There is reason to think that this plan might work as well for the sane as the insane, and thereby be a great benefit to society at large. Anyone who considers the state of the Union must see that American society falls into two irreconcilable divisions. On the one hand we have those who feel no responsibility about the beliefs, tastes, and dispositions of other people, and who are resentful when their own are challenged. They are strong for letting their neighbors alone, at least until the commission of some overt act. If the neighbors see fit to believe in red licker, nudism, free silver, psychoanalysis, and the strangling of all girl babies at birth, they are in favor of letting them enjoy their beliefs in peace, as long as no actual injury or nuisance takes place. In return they ask no more than that the neighbors likewise refrain from barging in on any missionary enterprise directed against their own beliefs and persuasions. In short, they are very much of Mr. Jefferson's mind when he observed that "the opinions and belief of men depend not on their own will, but follow involuntarily the evidence proposed to their minds".

These appear to be considerably in the majority. On the other hand there exists among us a large and growing number of persons who apparently were born with a rabid rage for meddling and interference, and with a canine nose for political outlets through which their mania may harass and exasperate the majority. Our experience

with Prohibition showed us something about the number and energy of this element, and we now see with dismay that they are largely having their own way with the present government. They devote their peculiar talent to playing into the hands of unscrupulous politicians, and in return the politicians connive at their passion for ruffling all people who are not of their own ilk, and making them as uncomfortable as they can. This reciprocal arrangement is the simplest thing in the world to carry on, because it costs nothing to either party, but is all paid for at public expense; which is to say, mostly at the expense of its victims.

We all know the several types of this genus: they are the uplifter, the snooping *censor morum*, the social-science inquisitor, the foundation-hound, the economic gospeler who periodically takes a hard fall out of Adam Smith, the professional red-baiter, and the alfalfa-fed Mokanna who thinks he has discovered some new short-cut to the More Abundant Life. Behind all these is a vociferous rank-and-file which they keep stirred up; and the total effect is to distract and bedevil the majority, and to keep the whole body politic in an unwholesome and distressing commotion.

Under these circumstances it would seem sensible to separate these two divisions or classes, and segregate them; not forcibly, of course, but by stipulation and consent. Perhaps the best thing would be to lay off a large area of pleasant country where living is relatively easy and cheap, and then invite everybody who feels any kind of evangelistic urge to go there and settle, leaving the rest of the country free to the majority who wish only to live and let live. Naturally California occurs to the mind at once — Southern California — as the very thing; one would say it was made for the purpose. I have never been in Arizona or New Mex-

ico, but I get such good reports about them from Witter Bynner and other connoisseurs that I am sure their attractions must fall right in line with California's. Well, then, why not devote the whole strip west of the Texas Panhandle to this excellent purpose, simply extending the northern line of Arizona and New Mexico straight westward to some point on the coast south of Monterey?

The only understanding necessary would be that both parties to the agreement must stay on the reservation, except in cases where the individual undergoes a change of disposition which puts him in the opposite category. On the one side, for example, if a person loses his itch for messing about in other people's business, and no longer yearns to convert or dragoon anybody, he should be promptly fired out as soon as it becomes clear that his lapse is permanent. On the other side, too, if a normal member of the majority begins taking an inflamed interest in affairs which are not his own, he should be bounced across the line at once.

This would seem a fair arrangement, and there is good precedent for it, for are not other nations, most of them, segregating their more or less rambunctious minorities? We could improve on them, because they are doing it by force or social pressure, and also because they do it along racial lines; whereas we would do it by agreement and on the line of pure compatibility. We would separate one division of our population from the other, not because either were Jews, Turks, infidels, or heretics, but because each was a nuisance and a detriment to the other. This would be a noble example. If we segregated our two incompatible classes by peaceful and friendly stipulation, settling our troubles on a plan that was fair and generous all round and really co-operative, we would give the world a great moral lesson. We would put ourselves in the position of "moral leadership" which we are always

talking about and apparently coveting, but somehow never attaining.

But would stipulation be possible? I think so. I am sure the majority party would stipulate. I believe they would cheerfully give up half the area of the United States if they were guaranteed permanent freedom from the hectorings of the minority. But how about the minority? Here again I believe that if proper representations were made, if the matter were put before them in the right light, they would make no difficulties whatever, because segregation is actually as much to their interest as it is to the interest of the majority, or even considerably more. The majority would be rid of a raft of dreadful bores and duodecimo Stalins, which of course is all to the good, but that is only a negative gain; whereas the minority's gains would be positive. Think of the point I have just made — the chance to give America the moral leadership of the world! This in itself would be an immense inducement, for from the way they talk about it, moral leadership seems to be the one ambition common to all sections of the minority. The Prohibitionists were tremendous fellows for moral leadership, and the Men of Vision who are now on the job seem quite as strong for it. The ultimate aim of all their nostrums, as I understand it, is to make America stand as a burning and a shining light to a world that flounders in ignorance and sin. Any politician will tell you so, especially as election day draws near. Well, if the minority were segregated, they could do the moral-leadership business for the whole country without all the time being wet-blanketed by the rest of us who are merely plugging along at our workaday jobs, and not indulging any such high ambitions.

I am sure the minority would agree that there is everything in this matter of a favorable spiritual atmosphere. The author of the *Imitation* says truly that "the fewer there be

who follow the way to heaven, the harder that way is to find". Blank indifference is the great enemy of any doctrine, social, political, or religious. A doctrine can thrive on opposition, it can thrive on anything, as long as people are thinking in the general terms that embrace it; but when they are not, it has hard sledding. For instance, a century ago when everybody was thinking more or less in terms of theology, any theological doctrine could get a hearing and make its way; but nowadays, since people have pretty well stopped thinking in those terms, no theological doctrine has a chance.

A segregated minority would enable each group to operate among people who were thinking habitually in the same general terms. It would no longer be enervated by the suffocating atmosphere of indifference by which it is now so heavily oppressed. Each group could be sure of getting its nostrum understood and sifted, which is the primary condition of acceptance, for obviously if a person is not willing to understand a doctrine and think about it, he will not accept it; and not only so, but in his ignorant repugnance he may even do it considerable damage. This point is so important that it should be made very clear; and since one may always take oneself as an example when such service might be invidious or unpleasant, I will bring forward my own case to illustrate what I mean.

II

I do not know anything about the Townsend Plan beyond a bare statement of its purpose set forth in a press report. On the strength of this I at once put Dr. Townsend in the category of circle-squarers and flat-earth fanatics, and have never since read a line about his plan. Yet I have sometimes spoken lightly of it in print, as an egregious economic humbug. Now, if Dr. Townsend

should tell me that I am acting improperly, unjustly, in condemning his plan virtually unheard, I would have to agree with him; no doubt about that. But if he went on to explain his plan I am almost sure I would listen to him with only half an ear. In short, with regard to the Townsend Plan, I am in the state of what theologians call invincible ignorance.

Now, turning the case around, I am a single-taxer, and I notice that the editor of this magazine, and my old and good friend Mr. Mencken, speak disparagingly of single-taxers. I understand that Mr. Mencken even goes so far as to say my being a single-taxer is the only thing he has against me. This being so, I would bet much more money than I can afford to lose that to save their souls neither Mr. Palmer nor Mr. Mencken can tell me what the single-tax is — exactly as I cannot tell them what the Townsend Plan is. Why, think of Mr. Butler, who is in my judgment far and away the ablest man in our public life; no one commands my respect as he does. Yet, in a very sympathetic commencement address two or three years ago, when he undertook to say what the single-tax is aimed at, he picked out the one very thing that it is expressly and deliberately *not* aimed at. Speaking plainly, he made a most dreadful howler; worst of all, it was just the one howler that a person who knew what he was talking about could no more make than Bishop Manning could miss fire on the Lord's Prayer. Moreover, I would lay another bet that there was not a person in all Mr. Butler's great audience, professor or student, who knew enough to catch him at it. But this is a small matter. My point is that if I were to go to Mr. Palmer and Mr. Mencken and Mr. Butler, and offer to tell them what the single-tax is, the most they would do is what I would do in the case of Mr. Townsend. They would be polite and

pleasant, say it was all very clear, very good, and afterwards think no more about it. Like myself, they are *ad hoc* in the state of invincible ignorance.

It is only a Draconian sense of justice that would complain of this, because unfortunately that is the way the human mind seems to work under the circumstances. Even the theologians, I believe, recognize this and make allowance for it; I am not sure, but I think they do not officially regard invincible ignorance as a bar to salvation. But because the mind works that way, the impatient prophet of a new idea usually does not get far. In my own case as a single-taxer, for example, it has been my sense of the prevalence and solidity of invincible ignorance that has kept me from crusading for my nostrum or doing much more for it than merely to put myself on record as occasion offered.

So the minority might well think what a fine time they could have if the obstacle of invincible ignorance were removed by segregation, and all hands were thinking in the same general terms. Certainly if I could get the single-tax out from under the killing blight of Mr. Palmer, Mr. Mencken, Mr. Butler, and thousands like them, and if I were not too old and decrepit by that time, I would join the minority and spend the rest of my life in spreading the Light. We would not all convert one another — nothing like that — but we would understand one another. We would perhaps continue to be inveterate opponents, but like Abélard and Bernard of Clairvaux, or like the Jansenists and Jesuits, our minds would all be tuned in on the same general wavelength. Dr. Townsend would probably not convert me to his plan, or Mr. Hopkins to the uplift, but I would at least "get them". Doubtless I would not make a single-taxer of Mr. Upton Sinclair, but he would at least know what I was talking about. On the

other hand, we might all come to see something valuable in one another's stock of notions, and some modifications of opinion might ensue. The worst thing about invincible ignorance is that it precludes these modifications, for understanding is always more than halfway to sympathy. In time, perhaps—I am not sure, but possibly—I might even come to see that nudism and vegetarianism are not absolutely and sinfully inconsistent with belief in the single-tax.

So for these reasons, and for others that will suggest themselves more easily, I believe that the minority would take to the idea of segregation like a duck to water. I recommend it to our politicians. There are

votes in it, no end. The majority would be for it at sight, and a little explanation would bring over the minority. Aside from vote-getting, segregation would make it much easier for politicians to work out their flagitious designs on the public. There is no need of showing them how this is so, for their peculiar sagacity will assure them of it at once. Here, then, is a real plank for an enterprising party's platform. Now that the conventions are upon us again, I suggest it to the Democrats. It would re-elect their ticket without a cent of expense for votes, and then all the balance of that five-billion-dollar slush fund would be theirs to steal and waste in ways more profitable to themselves. What could be better?



PRELUDE FOR AWAKENING

BY LOLA PERGAMENT

S ONG of my blood now muted now remembered,
 Borne through my veins like a lonely voice on the wind,
 You have deceived me out of my longest slumber
 Who find this night grown alien, its thinned

New branches reaching to old, omniscient skies. . . .

I had rejoiced to touch the altar of sleeping,
 To know its strength and its quiet beauty alone;
 Now you have taken it like peace from my keeping.

The loud, bright memory of laughter caught in my arms

I shall renew, though weeping though distressed,
 And the ageless story of youth retold I shall hear;
 I had laid these things to ruin in my breast.

Sing on, it is too late to still your clamoring,

I would go further than sorrow to hear you again,
 Your mad music pulsing like spring, your tremulous cry
 Rising like urgent dew to greet a wild rain.

THE LIBRARY

The Webbs Revise Soviet Russia

By EUGENE LYONS

SOVIET COMMUNISM: A NEW CIVILIZATION? by Sidney and Beatrice Webb. Two vols. \$7.50. *Scribners*.

I WAS A SOVIET WORKER, by Andrew and Maria Smith. \$3.00. *Dutton*.

Two anxiously benevolent octogenarians, surfeited with the iniquities of this world, have built themselves in twelve hundred pages a cosy home for the spirit. It is wide enough to provide sanctuary for a host of others yearning for Nirvana, among them a large number of wishful-thinking book reviewers, and therefore it is likely to become a popular resort until someone builds a more enticing retreat. Unluckily the Webbs named their never-never land the USSR, and because there happens to be an actual geographical sector carrying the same name, the coincidence leads to sad and farcical confusions. Had they located their dream on clearer ground the authors would have had less awkward explaining to do about colossal miseries, liquidations, dictatorships, and terrors which, for all their belated hard-boiledness, they do not really relish.

The material out of which the Webbs have fashioned their Utopia is that theoretical USSR of governmental forms, paper freedoms, poster proletarians, stage kulaks, decrees, and charts — the immense make-believe of externals under which all governments, especially all-powerful, all-knowing, and infallible super-states, function. An equivalent Utopia could be

worked up from the corresponding material in any other system, Nazi Germany, Fascist Italy, or the new Turkey, by similarly accepting only official and laudatory testimony and ruling out everything that contradicts this synthetic version. When this formal official material does not suffice to cover gaping fissures and the winds of life come roaring through, the Webbs stuff the holes with flimsy euphemisms, quotations from the *Moscow Daily News*, and questionable statistics. Failing that, they confess disconsolately that they are “unable to interpret the proceedings of the Soviet government in this case”, or that something else is “to be regretted”.

The Russia which the authors have constructed with loving patience and the virtuosity of experienced political theorists is more attractive even than the one projected by official Soviet literature. For the Webbs treat as established facts the political metaphors and make-shift formulas which the present Bolshevik leaders scarcely intend anyone to accept literally: for instance, “democratic centralism” as a name for the world’s most autocratic state machine; “kulak recalcitrance” as a description of the great peasant rebellion against forcible collectivization; and the “instructions” which the ruling Communist Party gives to its secretary-general, Stalin.

Of course, there is no ethical limitation upon Soviet functionaries themselves in concealing or justifying unpalatable facts,

and not the slightest opportunity for heckling from the sidelines. But being human the officials are often embarrassed by their own knowledge of the truth and by an awareness that their immediate audience, the Soviet people, knows better. No such constraints hamper the Webbs. They write honestly out of the depths of their documented illusions, and they write for intellectuals thirsting for reassurance in the capitalist deserts of despair. Their book thus achieves a ring of sincerity and their Russia a seeming verisimilitude which the ordinary self-conscious communist apologist can only envy.

No Russian communist could write of the "unprecedented freedom" in the peasant villages — unprecedented, mind you, not only in Russia but anywhere in the world, according to the Webbs — as convincingly as do these Fabians. In the back of any Russian's mind would be the gnawing memory of such "free" villages lifted by the scruff of the neck — men, women, and children, innocent and guilty alike — and dumped in the frozen North. But the Webbs are able to make such statements repeatedly and with the emphasis of a clear conscience. They have the advantage of their high-minded innocence in these matters, as in their voluminous denials that the Soviet State is dictatorial, that the OGPU is an instrument of terror, that the overwhelming majority of peasants are opposed to collectives, and so on. Even the professional American apologists for the Kremlin quoted on every other page, would swallow hard before they permitted themselves to speak of the fearsome food and goods shortages of 1929 as "minor deprivations". The most mealy-mouthed of euphemisms, which on the tongue of anyone less generally esteemed would sound heinous, the Webbs pronounce with the disarming nonchalance of naïve faith.

Who else could manage the following about a ruling organization more powerful than the Nazis in Germany or the Fascists in Italy, backed by a redoubtable police force, a huge army, and its own unleashed fanaticism?

Nor has the Party any legal authority over the inhabitants of the USSR, not even over its own members! The only sanctions that the Party can use to control its members are those of reprimand and expulsion; and these entail no legal disability. [Fine consolation that is for tens of thousands of dissenting revolutionaries in prison and in banishment!] . . . If the Party influences or directs the policy of individuals or public authorities it does so only by persuasion. If it exercises power, it does so by "keeping the conscience" of its own members, and getting them elected by popular vote.

Only people devoid of guile would dare state these palpable absurdities so baldly. Only people without guile would dare write that "something very like compulsion of the hesitating peasants to join the collectives" was employed — this in the face of Stalin's own denunciation of the brutal excesses! Or to refer to the same liquidation of the kulaks as "government persuasion".

To anyone intimately acquainted with the day-to-day Russia outside of communist editorials and propaganda fictions, the monumental opus of Sidney and Beatrice Webb thus has a quality of grotesqueness. I can easily imagine the incredulity with which the communist leaders in the Kremlin will stare at this evidence that their every evasion and calculated formula of concealment has been accepted at face value, added to, and elaborated into something utterly divorced from actuality.

It is a pity that the Russian people, for all their "democratic centralism" and "unprecedented freedom" and "almost inconceivable amount of public discussion",

will not be permitted to see the Webbs' book in full. This conclusive proof that they are free, happy, chronically enthusiastic, and in love with the OGPU will be denied them for at least two reasons: First, the Webbs, if only to refute them, set down facts and accusations which, while known and believed by most Russians, are never mentioned aloud. Second, the picture of Russia painted by the Webbs is so far removed from the one lived in by its flesh-and-blood inhabitants that it would seem a cruel taunt to Soviet readers. Imagine the reaction of Ivan Ivanovitch, for instance, were he to read, as a serious statement of fact by famous sociologists, that Stalin and Kalinin "probably have the privilege" of attending Sovnarkom meetings! Ivan Ivanovitch knows that Stalin has the additional privilege of telling the Sovnarkom exactly what to do and of dismissing its members for an indefinite vacation in Siberia if he chooses. Or imagine the shock to a fairly intelligent Russian worker were he to discover that two reputable political economists treat the Tsik seriously as a governing body legislating for the nation, instead of as the supernumerary rubber-stamp of the ruling communist clique which it is. But perhaps the most precious statement in two large volumes teeming with unconscious irony is the one which recounts how a Constitutional Commission was appointed, under Stalin as chairman, including "other leading personalities of the Party, *representing all shades of opinion*". The italics are mine. They will seem superfluous to anyone halfway familiar with the shadings of opinion in Stalin's party.

The most extraordinary section of the book is probably the one proving at length that Stalin is not a dictator and that in general, "dictatorship is surely a misnomer" for the present Soviet system. The cir-

cumstance that the communists themselves consider their arrangement a dictatorship does not dismay the Webbs. On this one point they are ready to quarrel even with Stalin. Having quoted him to the effect that "in this sense the dictatorship of the proletariat is substantially the dictatorship of the Party, as the force which effectively guides the proletariat", the Webbs chide him for exaggeration in these priceless words:

It must, however, be noted that the control of the Party over the administration is not manifested in any commands enforceable by law on the ordinary citizen.

The fact that control is enforceable without law, through every device from loss of passport to loss of life, is presumably quibbling. Should there be any doubt as to Stalin's position as a servant of the "constitution", the Webbs point to the startling fact that "he has himself explicitly denied any such personal dictatorship". Moreover, and this should clinch the matter, "there is nothing in the constitution of the USSR at all resembling the Roman office of dictator; or, indeed, any kind of government by the will of a single person". Also, "unlike Mussolini, Hitler and other modern dictators, Stalin is not invested by law with any authority over his fellow-citizens, and not even over members of the Party to which he belongs".

By way of proof that there is internal freedom for party members, the Webbs cite, in every instance, controversies which developed *before* Stalin's dictatorship had been quite consolidated, or ones which he desired, for reasons of political expediency, to allow — precisely as Hitler occasionally permits discussion of some issue to test the sentiment of his followers. Such extensive quibbling over Stalin's personal dictatorship — a fact taken for granted and regarded as quite natural by the Soviet

citizenry — illustrates how the Webbs renounce, at every point, the realistic substance in favor of the legalistic form. Nobody has ever charged that Stalin *calls himself* a dictator or that the law invests him with titles and powers. (I happen to have been the first foreigner to ask him point-blank whether he was a dictator and to whom he “himself explicitly denied it”.) The fact is simply that, unlike Mussolini or Hitler, Stalin exercises dictatorial power without public admission and without benefit of a decree.

Walter Duranty wrote in his recent memoirs that Stalin deserves his dictatorship “because his policies are fitted to the Russian character in that they established Asiatic absolutism.” Whether he deserves it or not, that is what the Russian people live under today. Not since Peter the Great has any man ruled as absolutely as Joseph Stalin — that he does so, as did Peter, in the supposed interests of his country, does not alter the situation. For the most part, Stalin exerts his rule through government edicts, or through the Central Committee (even Mussolini functions through a Grand Council), but his slightest frown outweighs in practical importance the deliberations of the whole apparatus of “democratic centralism” which the Webbs take hundreds of pages to describe.

An analogous acceptance of form and denial of substance characterizes the Webbs’ discussion of the famine of 1932-33. They argue that since the starvation did not come as a result of an act of God, as all *bona fide* famines should, it was not in the technical sense “what is usually called a famine”. It was rather, they assert without blinking, “a widespread general strike of the peasantry, in resistance to the policy of collectivization”. They cite the word of an Indian authority on hunger that the conditions were not such as in

India would be termed a famine. They then assert that the peasants, by turning “recalcitrant” and refusing to plant enough, were themselves responsible for their deaths. The moral of this, obviously, is that a vast peasant population which “stubbornly” and “sullenly” refuses to co-operate with what it rightly or wrongly considers confiscation of the products of its labor, deserves to die.

The spectacle of two Fabians condoning the action of any government which enforces its decisions by starving a great sector of its people is sufficiently tragic. One need only regard the recalcitrance soberly for what it was — a non-co-operation movement of simple and desperate masses not unlike the one led by Gandhi in India and, like it, a typical Asiatic manifestation — to appreciate the tragedy. In any case, proving that the victims were their own worst enemies and deserved this “cure by starvation” hardly disproves the famine. Neither does it exonerate the Kremlin, which could have bought enough Canadian wheat to feed the sufferers or opened the doors to foreign charities had it cared to admit publicly that the famine was under way.

It is nightmarish enough that three years after the catastrophe — which candid Russian officials admitted in my hearing had cost millions of lives — its occurrence should still be a matter of dispute. That fact alone attests the success of Moscow’s methods of concealment. “Various resident British and American journalists who traveled during 1933 and 1934 through the districts reputed to have been the worst sufferers” have assured the Webbs, they record, that “the trouble had not been more serious than was officially represented”. (Officially, of course, it was not represented at all, it was simply denied!) That perhaps was why resident corre-

spondents were stringently prevented from traveling through the starving sections until the autumn of 1933, when the famine was liquidated. The first American journalist to go there after the bars were lifted, estimated, in private conversation if not in print, that the famine took from five to seven million lives. I happen to be familiar with the estimates of the other resident British and American newspapermen — the average is between four and five millions. It is clear that someone has avoided hurting the Webbs' feelings.

One is tempted to quote endlessly from the curious mixture of misinformation, half-truths, and naïve credulity which fill these volumes. The liquidation of the kulaks, for instance, becomes under the busy pens of the Webbs almost an act of benevolence. These poor people, it appears, would have starved to death had not the authorities come along mercifully and transferred them free of charge to the lumber camps and canal diggings. Sympathy should really go to the government. As the Webbs put it, "Strong must have been the faith and resolute the will of the men, who, in the interest of what seemed to them the public good, could take so momentous a decision" as driving one million families — some five million men, women, and children — from their homes to live or die in Siberian swamps or Turkestan deserts. Similar expressions of sympathy must have been voiced by just such gentle scholars some centuries ago for the poor churchmen who took a momentous decision, in the interests of truth as they saw it, in instituting an Inquisition. The Webbs record that "the sum of human suffering involved is beyond all computation" and "the procedure . . . peculiar", yet they return blissfully to singing hosannas for the "unprecedented freedom" in the villages where the liquidations occurred.

The discussion of other aspects of the terror is in the same key. Everything that might reflect on the institution of the OGPU (obliged, alas, daily to make momentous decisions with strong faith and resolute will) is dismissed with a sneer. Such reports are merely listed in a footnote for "those liking sensational literature" — and they include the scrupulously measured works of William Henry Chamberlin and the personal narratives of people like the Tchernavins. The whole complex of forced and convict labor involving millions of persons (hundreds of thousands are building canals and railroads at this very moment); the mass executions without public trial; the teeming concentration camps (certain ones of which hold more than all of Italy's or Germany's taken together); all of this the Webbs judge on the basis of official statements, official silences, and the mendacities of ill-informed foreign parrots.

The sources of the Webbs' information and the relative credence they give to different witnesses are of particular importance because the authors do not pretend to base their work, except an occasional paragraph, on personal observation. They do not know the Russian language. A work of these dimensions, indeed, is of necessity a product of library research. Yet their book rests almost entirely on state publications, official documents, and the corroboration of blatantly pro-Soviet Americans. Much of this support, besides, is antiquated to a ludicrous degree. Although trade-unions in Russia today are only vaguely related in their essence to those of a decade ago, the chapter on trade-unionism leans heavily on a book published by an American communist in 1927. Articles written eight and ten years ago are cited by way of illustrating current governmental procedures. Scores of pages

ostensibly describing present-day Russia are mere summaries of eulogistic outbursts composed during NEP, when the Soviet land was as different from today's Russia as it was from its Czarist predecessor. The sections devoted to the Communist Party utterly ignore the great changes in its temper and internal conduct (not in form, of course) that have come with the ascendancy of the Stalin faction. It is perhaps symbolic that the *Moscow Daily News*, a sheet edited by demagogues for gullible English-speaking outsiders, is the Webbs' principal source of information. The ordinary Russian newspaper is an unbiased institution by contrast with this English-language paper which, being intended for foreigners, is even more painstakingly censored, gutted, and perfumed.

I find an interesting and revealing verbal mannerism running through the book. Wherever the Webbs cannot cite the *Moscow Daily News*, or some other authority, they employ such phrases as "we are told", or "we are given to understand". And miraculously, the things they are told and given to understand are always and inevitably strongly biased in the Kremlin's favor. The scientific objectivity of the monitorship is all too patent.

The Webbs made two brief visits to the USSR, totaling no more than a few months. They were officially entertained, guarded against discomforts, and given exceptional opportunities to see exactly what their hosts wished them to see. They fully merited this solicitude because of their age, eminence, and strategic importance in the intellectual world. During the first of these visits, in 1932, I was among the guests at one of the series of parties in their honor. Ancient, gentle, bewildered in a strange world, they seemed just two more helpless tourists. A colleague (whom they quote with approval) whispered in my

ear, "Flattered to a frazzle and ready for the stuffing." He meant stuffing with standardized data and arguments. But none of us realized how expertly the job would be done.

Book reviewers have been impressed by the standing of the authors, the bulk of the book, the superabundance of footnotes, and the general air of scientific detachment. Unqualified to judge the facts or predisposed to take orthodox Soviet views, they have given every benefit of doubt to these writers in the front pews of social scholarship. This is understandable; but it makes the business that much more mischievous. Had the book been written by less reputable people, it is unlikely that its rank one-sidedness would have been overlooked by so many reviewers.

There are big chunks of mature wisdom in the book, skillful historical summaries, and other useful and creditable matter. But unfortunately, they are so vitiated by the distortions and the puerile face-saving for the Revolution that the useful portions cannot be disentangled from the fantasies. It is a pity that what evidently was initiated as scientific inquiry degenerated into redundant special pleading.

Another book about Russia was published almost at the same time as the Webbs' — *I Was a Soviet Worker*, by Andrew and Maria Smith. In it, two American communist workers who sacrificed their life's savings to reach the Promised Land, narrate their disillusionments during several years in Russian factories, tenements, shock brigades, and barracks. The book is unpretentious, badly written from a literary viewpoint, and suffused with a deep bitterness. But it is closer to Russia than the Webbs' elaborate pseudo-scientific compilation of self-deceptions and weighted testimony. The Smiths, at least, tell what they actually saw and felt under

the impact of day-to-day life, so that even their exaggerations under emotional stress are significant and, in a deeper sense, true. The Webbs' volumes, in contrast, are laboratory products. These aged Fabians have analyzed their own ardent hopes and found them to their taste. They erred gravely in trying to torture these hopes into shape to make them coincide with a Russia which, in their hearts, they could not possibly accept.

To me the most tragic aspect of this tragic book is the sight of two idealists, after a lifetime devoted to their concept of social justice, suddenly impelled by impatience or despair to defend, explain, minimize, and rationalize brutality and terror. If people like the Webbs desert, who then shall speak up for the revolutionists in Soviet "isolators", for the victims of punitive famines, for a population denied freedom of press, thought, and movement, for the millionfold victims of organized terror? When people like the Webbs are able, for any reason, to join the fanatic executioners and liquidators — able to justify the slaughter of millions today for a suppositious good tomorrow — then there is danger that the very memory of decency and humaneness is fading out.



Mr. Belloc's Panorama

BY SIR JOHN SQUIRE

THE BATTLEGROUND, by Hilaire Belloc.
\$4.00. *Lippincott.*

LONG ago an inspired poet wrote of Mr. Belloc:

Mr. Hilaire Belloc
Is a case for legislation *ad hoc*;
He seems to think nobody minds
His books being all of different kinds:

Just inside the present volume there is a list of books by the author. It is nowhere near complete; even such masterpieces as *The Modern Traveller*, *Emmanuel Burden*, and *Caliban's Guide to Letters* are not included. But there are nearly fifty titles, and they are classified under such divers headings as Historical (which includes all the biographies as well as works of general history), Essays, Novels, Poetry, Children's Books, and Religious; while the despairing author groups under General a variety of works which include the life story of his yacht, certain travel books, and a volume on the poets of the French Renaissance. And now there is a work, part panoramic history, part religion, part current politics, which is not quite like anything else he has written.

Mr. Belloc is certainly one of the greatest artists of our time, and has one of the most universal and powerful minds. But three things have prevented him from getting, amongst his contemporaries, the reputation he deserves. One is that very variety; the second is his philosophy; and the third is a dwindling of interest in sheer good writing.

The variety people "mind" very much. It is an age of specialization, an age of publicity, an age of multifarious production in which it is very difficult for the ordinary reader to find his way about. Nobody "minded" Voltaire or Dr. Johnson doing all manner of things, or grew impatient with Goethe because he not only wrote plays, poems, novels, memoirs, and the rest of it, but conducted researches in optics and discovered a new bone in the human head. The tendency today is to refuse to think of authors as men of letters. An author must be labeled novelist, poet, or historian, just as most members of the public are dentists, lawyers, stenographers, etc. Add to this the annoyance of specialist

authors (including some critics) with a writer who can do their own sorts of things and a great deal else besides, and the irritation, say, of academic scholars at non-specialists who invade their own provinces, and you can realize the difficulty that Mr. Belloc (as, to a lesser degree, Mr. Chesterton) has in being appreciated. I swear that Mr. Belloc would have had a greater vogue as an essayist had he been content, or able, to write nothing except essays. I am dead certain that he would have had more of his due as a poet had he publicly appeared as nothing else — instead of being overlooked while serious attention in two hemispheres is dedicated to indifferent versifiers because they do not even pretend to do anything but write verse.

The second obstacle is Mr. Belloc's philosophy. He is a Christian and a Catholic, and these things must influence, or rather determine, his outlook upon the whole of life — history, economics, politics, and the rest of it — and give him a special criterion for judging the words and deeds of men, alive and dead. This new book has an ironical little preface which opens:

This book needs a brief apology. The writer has not only taken for granted that there is a God, but also design in the Universe, and in the story of mankind. . . . He even seems to imply the Divinity of his Saviour. . . . The sole excuse he offers for his extravagance is that the present generation is tolerant of novel ideas, and that therefore he may hope for indulgence.

There are many who do not regard Mr. Belloc's doctrines as reasonable, or even true; and there are multitudes who detest irony, and are additionally bewildered when an orthodox person refuses to leave that excellent tune to the Devil.

And, thirdly, there is the lack of interest in the literary art — I won't say "art for

art's sake": a discredited phrase because of associations — irrespective of the ideas which words may clothe. When all men shared fundamentals in common it was noticeable when one experienced them better than another: when differences are more noticeable than acceptance (I do not necessarily mean of Christianity only), controversy obscures the interest both in craftsmanship and in the ordinary movements of the human heart. No modern reader refuses to acknowledge the glorious limpidity and strength of Dante's words and music simply because the modern reader happens to believe that Dante's theology is out of date: Dante is dead and had no chance of later information, or lack of it. But if a modern writer takes violent sides in contemporary discussions, and particularly if he takes an unpopular side, and particularly if (like Mr. Belloc) he takes almost all the unpopular sides, and happens to attack Capitalism and Socialism with equal violence and effect, prejudice comes in and there is a refusal even to consider the man's claims as an artist.

This new book is one of the most determined and controversial that Mr. Belloc has ever written. The whole story, which is told panoramically from remote antiquity to our own day, is based on the convictions that the progress of Israel was designed, that Christ was God, that the creeds are literally true, and that Syria is the chosen battleground and symbol of the conflict between the Faith and its enemies. My point is this: that, leaving out whatever differences there may be about his theology, history, or science, the proportion of his survey, or the accuracy of his facts, even this book (which, unlike his sonnets and his essays, was never written with any object but to display and to persuade) exhibits, as it were accidentally, his great natural powers as an artist in ex-

pression and composition. So great are his powers of compression and vivid selection that it is difficult, when one puts it down, to believe that one has not read several successive books about the history of the Jews, about the Assyrians and the Persians, about the Greeks, the Romans, and the Crusaders; so bright is the thing, so strong, so does it march with the majesty of great organ music. The Maccabees and Alexander cross the narrative for a few pages and we seem to have read their whole story at length. In the story of Syria as focus and pivot there is a continuity such as we get from Greek drama. Hate it as you may, disagree with it as you may, but recognize the burning imagination and power of it. Otherwise you may be in the position of the Victorian divine, of whom I have just been reading in Mr. Kellett's *As I Remember*, who refused point-blank to listen to suggestions about Matthew Arnold's merits as a poet and literary critic simply because Arnold, in his prose pamphlets, had expressed a distaste for Evangelicals and all their works.

And the prose. It is still frankly mannered, but the manner is the man's own; the Belloc who, in his high-spirited youth, would announce (partly satirically and partly because it amused him to show his paces) that he was now going to have a "purple patch" (and wrote some very good ones, like the Invocation to Rabelais in the *Path to Rome*), though he still delights in words never now used — unnecessary words — merely because they are delightful. His is a natural, economical, and (what is rarer, in an age when eye-reading threatens to abolish the ear, on which all great poets and prose-writers have counted and for which they have written) musical prose. It is twenty years and more since Rupert Brooke said that Belloc wrote the best prose of any man alive: and, though

the modern process of merely "efficient" writing had not reached its present stage of development, there were already plenty of eminent and intelligent writers who were unaware that they had to do anything but state, and unaware of the added strength (even towards mere persuasion) given by association and sound. I will go no farther than the first chapter of *The Battleground* to illustrate what I mean by the qualities (and even the slight mannerism, though it may seem a mannerism because we are unaccustomed to such strong simplicity):

In the beginning of our Europe, when the work of its creation was accomplished and its shores had taken the shapes we know, some Atlantean boat sailed eastward through the Mediterranean from beyond Crete to find what might be found. They of the boat, moving by sails and oars, set out upon discovery to know new lands and see whether bounds had been set to that inland sea, or whether they should be led onwards and out again into the strength of ocean which surrounds the world.

It was the early springtime of the year, when the long rain storms of winter are past and men can trust an open heaven. The northerly breezes of that season befriended them as they left the mountain of Rhodes behind them and still made easting more and more, anchoring by night in the shelter of Lycian combes until, from the shores, rose those splendid heights of snow which now, since the curse came out of Asia, bear uncouth Mongolian names, but then were the unknown habitations of the gods. For this was before the evils fell upon us, and all was young.

I will not rub in the obvious about the rhythm and the lack of wasted words — the disdainful refusal even to explain to the weaker brethren that the Turks were a very barbarous lot of Mongolians and that even Mt. Ida now has a Turkish

name. But it must be evident that this could only be written by a man who was at once a poet, an historian, a political theorist, a story-teller, and one accustomed to sail his own boat. Which makes me wonder suddenly why Mr. Belloc should not now, instead of relapsing to one more Cranmer or such, resolve in his next book to embrace and surpass all previous accounts of the life, or even of the great voyage only, of Columbus. No man since the Elizabethans has had so many qualifications for the job.



Here Are Ladies

By AGNES REPPLIER

THE LADY OF BLEEDING HEART YARD, by Laura Norsworthy. \$3.00. *Harcourt, Brace.*

DIANE THE HUNTRESS, by Grace Hart Seely. \$3.00. *Appleton-Century.*

ELIZABETHAN WOMEN, by Gamaliel Bradford. \$3.00. *Houghton Mifflin.*

THE SCHOOL OF FEMININITY, by Margaret Lawrence. \$3.50. *Stokes.*

THE INFLUENCE OF WOMEN—AND ITS CURE, by John Erskine. \$1.50. *Bobbs-Merrill.*

WOMAN is no novelty. Since the day she ate the fatal apple she has been on hand, a familiar figure; yet there is always somebody ready to write a new book about her as if she were a phenomenon just under observation. Woman is profoundly interested in herself, which is natural; and she is interesting to men whose minds are not otherwise engaged. Some of them worship devoutly—or discreetly—at her shrine; but the greater number echo the words of the patient old French priest to his neophyte: "*Nous de-*

vons adorer Dieu, mon fils; mais c'est un grand mystère de sa providence qu'il ait créé la femme." Five new volumes on this engrossing theme demand attention. Two of them deal with individual women, and are necessarily historic. One confines itself to women of a period. Two grapple with femininity as a problem, which, in an ordered universe, it has no right to be.

The Lady of Bleeding Heart Yard—in other words, Lady Elizabeth Hatton—was a disturbing element in a deeply disturbed day. Her husband, the eminent jurist, Sir Edward Coke, was the kind of man who should have married Griselda the patient; instead of which, with the perversity inherent in human nature, he espoused the most stormy termagant in England. She carried her quarrels into the courtroom, she knew no peace and she gave no quarter, and she lost out time and time again to her silent, unyielding husband. He married their daughter at fifteen to Sir John Villiers whom she detested; and the young wife proved herself to be a noisier, if not a stouter, fighter than her mother. Miss Norsworthy, who tells their tumultuous tale with spirit and understanding, expresses unbroken sympathy for both her heroines; but she cannot claim that either of them ever tried to make the best of a bad bargain. Dr. Johnson said that most marriages would be just as happy if the Lord Chancellor arranged them. The remark sounds more sensible that it is. The Doctor had in the back of his mind the Griselda wife who may have made her husband happy, but who put in no claim to private and personal enjoyment.

Catherine de Medici seemed like an Italian Griselda, but was not. She burned with a hidden flame of hatred while externally she was cold as ice, and prolonged combat is not good for the human heart.

How could a queen whom it was so very difficult to love compete with a mistress like Diane de Poitiers whose beauty and intelligence compelled homage? Diane did all things well, while Catherine did only one thing superlatively well, and that was — wait. It was Diane who led the king out of more than one diplomatic maze. It was Diane who supervised the education of the charming child, Mary Stuart, whom she loved as did all else who knew her. It was Diane (the most skillful midwife of her day) who helped to bring the royal children into the world, and who took measures to insure their being clean and healthy afterwards. Diane was so prudent, so disciplined, so wise, that only the unchallengeable fact of her harlotry dims her brightness. She was hard on to sixty when, unhappily for France, Henry the Second died. Years did not count for her. She had lost nothing worth preserving.

Miss Seely's narrative is of the vivid and intimate order. It sounds at times as if the author had stood behind the arras, and listened to conversations. This is an agreeable way of writing history; but in the present instance it ignores one very important fact — the threatened wars of religion which were already darkening the skies. All that Miss Seely sees of their portent is a regrettable persecution of the Huguenots. There is one scene between Diane and that astute statesman, Cardinal de Guise, which might have been written by the ingenuous author of *Father Clement*. It is as uncomplicated, and as remote from reality.

English letters lost an accurate and indefatigable compiler when Mr. Gamaliel Bradford died. He wrote a great many books, none of them easy work, and all of them agreeably informative. In the posthumous volume, *Elizabethan Women*, he did not deal with his subject matter di-

rectly. He approached it by devious paths. Education (the women of the poor got none); home life (the women of the poor had none); social life (the women of the poor did see an occasional bear-baiting). On the other hand, Lady Jane Grey was found by Roger Ascham reading Greek in her chamber, a circumstance which has been mentioned with rapture by several hundred commentators. When Mr. Bradford turned from Maypoles and dinner tables to the stage he wandered far afield. Webster was not of Elizabeth's day, and his women are not Elizabethan. The Duchess of Malfi, and Vittoria Corombona were brought straight from Italy, and one of them at least was sadly hurt in the bringing. Webster's "White Devil" is a stout and fearless sinner. She faces death with brave and desolate eyes:

My soul, like to a ship in a black storm,
Is driven I know not whither.

But the historic Vittoria was murdered kneeling in her oratory, and fell, holding the crucifix in her dead hand. She too was sinful and she too was brave; but in death, as in life, the Saxon and the Latin are unrelated. There is a long chapter on "The Serpent of Old Nile" which proves anew that Cleopatra cannot be Anglicized. As the Victorian lady truly remarked: "How unlike our dear Queen!"

Margaret Lawrence has written a very comprehensive book and John Erskine a very concise one on women *per se*, women with a capital W. Miss Lawrence draws her inspiration from what she calls "The School of Femininity," beginning with Mary Wallstonecraft and ending with Virginia Woolf. The novelists who interest her most deeply are Charlotte Brontë, George Eliot, and Olive Schreiner. Their self-absorption and their refusal to take anything lightly bind her to their side.

Of Jane Austen, who took most things lightly, she ventures to say that her death at forty-two was from "frustration"—from ungratified sexual desires. "Racial futility must have struck her with terrific force." Perhaps it did; but there are so many other things to die of that to assume celibacy as a cause is far-fetched. In the case of Miss Austen, who prated less than any woman of her time or ours, it is unpardonable.

There is no lack, however, of feminists who have told all they know of their own sex and all they think they know of men. There is a certain sameness in their recitals, albeit some are frankly indecent, and others impenetrably grave. Miss Lawrence makes room for them all, classifies them all, and presents them as briefly as possible to her readers. It is only an author like "Elizabeth"—lover of gardens and of the sea—whose deftly mingled sentiment and irony, whose knowledge of the world and of life, defy analysis. We must turn to a thinker like Santayana for the few words which express the quality of her mind—"its amused understanding of mankind, its just affection for whatever is flowerlike and human in man"—

The best thing about Mr. John Erskine's little book, *The Influence of Women—and Its Cure*, is its title. This does not mean that the book is not good, it is very good indeed; but it is not so good as its title makes us think it is going to be. It is convincing as to the influence which no one doubts, and a trifle hazy as to the cure for which no one really hopes. There are, for example, few Americans who will not agree with its author as to the desirability of having boys taught by men. His arguments are irrefutable, and only determined sentimentalsists would care to refute them. But if men won't teach, women must. They can convey information, which

is all that is asked of them. We admit that feminine qualities, even the best of feminine qualities, are not what we want to see developed in boys. We know that it takes men of character to make men of character. But the law compels us to educate, and, in many states, there are only women trained and ready for the job. Mr. Erskine says that the one thing they are unable to impart is the science of political life: "Their view of politics will always be exclusively moral or exclusively economic." But perhaps a little economy would not be so amiss just now.

In one regard only does Mr. Erskine fail to give women their just due. They are immensely capable. Leaving out the field of politics, and possibly the field of cooking (in which men have always excelled), they have done a fair share of the world's work. There is not a bank or a business house—notably not a publishing house—which does not display their activities. If the experience of centuries has not encouraged them to think clearly or bravely, it has at least taught them to act with decision and dispatch.



The Omnipotent Nine

By JAMES M. BECK

NINE HONEST MEN, by David Lawrence. \$1.50. *Appleton-Century*.
CONGRESS OR THE SUPREME COURT
— WHICH SHALL RULE AMERICA?
Compiled and Edited by Egbert Ray Nichols. \$2.00. *Noble & Noble*.

IT WAS a contributor to THE AMERICAN MERCURY who, some years ago, referred to the United States Supreme Court as "the omnipotent nine". The expression was more witty than accurate, for the Court

neither is, nor claims to be, all-powerful. It is simply the authoritative interpreter of that more permanent will of the American people which we call the Constitution. No one has better stated the true position of the tribunal in our system of government than the thirty-year-old Frenchman, de Tocqueville, who a century ago said of the Justices:

Their power is enormous, but it is clothed in the authority of public opinion. They are the all-powerful guardians of a people which respects law, but they would be impotent against popular neglect or popular contempt.

It is this dependence of the Court upon the confidence of the people that makes its present renaissance so significant. For, never since the days of John Marshall has the Court occupied a larger place in the public mind, and never since the Dred Scott Case has the light of publicity shone with equal intensity upon its deliberations. Professor Corwin's prediction of "the twilight of the Supreme Court" had hardly appeared in a book with that unfortunate title when it was apparent to all thinking men that what the learned Princeton professor of constitutional law called the twilight was in effect the dawn of a new and greater day of influence and power.

After the Civil War and before the advent of the New Deal, the Court had seemingly entered into an eclipse, so far as publicity was concerned, and in the world of political controversy publicity seems to be the final, but not necessarily the true, measure of value. This is strange because in the last fifty years many more fateful decisions have been rendered than even in the first fifty years of the tribunal's existence, though few attracted wide attention. Constitutional morality, to use Grote's phrase, had sunk to so low an ebb that the American people seemed to be indifferent

to these important decisions. The crowds that once thronged the small courtroom to hear Webster cross words with Binney, or Wirt with Pinkney, were conspicuous by their absence. Time and again in recent years, cases of great moment were argued and the only audience was the counsel and a few lawyers waiting for the next case on the calendar, while occasionally a small band of weary tourists, under the tutelage of a guide, would enter the courtroom and sit down to rest for a few minutes in the cramped space reserved for the public. The Court was not then playing, as it now is, to capacity audiences, and the old attendant at its doorway never had occasion to hang out an S. R. O. sign.

A few years ago there was argued, on four successive occasions, a truly great case, wherein the Court exercised one of its greatest functions—that of composing quarrels between the sovereign States. Five great States had challenged the right of Illinois to divert the waters of Lake Michigan into the Mississippi watershed. At least five other States of that area were supporting the claims of Illinois to promote, by such diversion, a water route from Chicago to the Gulf of Mexico. Here, indeed, was a question of exceptional political and economic importance, yet few persons attended the oral arguments and little or no notice was evidenced by the press. After taking part in the argument, I had occasion to be in New York, and lunched with the editorial staff of the *New York Times*. In a good-humored discussion about the press of today, I ventured to say to Mr. Ochs and his editorial staff that although the *Times* printed "All the news that's fit to print", its sense of values was often so poor that a great deal of important news eminently fit to print had not received any attention comparable to the baseball scores of the preceding day

or the latest divorce case. I instanced the failure of the *Times* to make any reference to a litigation in which nine sovereign States sought to determine the destinies of the Great Lakes. Mr. Ochs was greatly surprised and thought that the Associated Press had failed in the matter; but on my return to Washington I took the matter up with the manager of that important news agency, and learned that it had fully appreciated the importance of the case and had sent out two full columns of telegraphic matter. The astute managing editors of nearly every American newspaper had consigned the story to the wastepaper basket.

This contrasted strongly with the interest which the press had taken in the Northern Securities Case, argued over thirty years ago. On that occasion the New York *Times*' representative telegraphed from St. Louis, where the famous case was first argued, some fifteen hundred words. As for the decision, it profoundly excited public attention and caused an upheaval in the great stock exchanges of the world. Yet twenty years later, when the Supreme Court required the Southern Pacific Railroad to divest itself of the ownership of the Central Pacific Railroad, and immense interests were at stake, little attention was paid by the press.

If the New Deal has accomplished nothing more, it has unwittingly again put the Court on the front page. Not for many years have its decisions excited more interest by anticipation, or been more fully recorded when the announcements are handed down. Each great ruling in the last three years has resulted in a flood tide of editorial comment. There has been no such concentration of public attention since the unity of the nation was threatened and all but destroyed by the Dred Scott decision in 1857.

Obviously the chief cause of this awakened interest is the enactment by the present Administration of unprecedented, and at times revolutionary, laws, for which no possible sanction can be found in the Constitution. The Roosevelt coterie, consciously or unconsciously, has attempted a *coup d'état* — and not until November will we know whether the President has revolutionized the American form of government or only blown a bubble which the Supreme Court has pricked. But the New Deal legislation is not the only reason for the Court's present publicity value. It is partly due to a change in habitat. For eighty years the tribunal had modestly met in the old Senate Chamber under conditions of severe but dignified simplicity. Many of the Justices and the Supreme Court bar would have preferred that it should continue to do so. We were entering, however, that period of megalomania which preceded the great debacle of 1929, and was one of its contributing causes.

I do not know who first suggested the idea of a stupendous Temple of Justice for a court of nine members meeting only during eight months of the year and frequently recessing. But Chief Justice Taft became enamored of the idea, and Cass Gilbert was selected to design the present structure. No one can deny the beauty of this building — but it is five times as large as the Court requires. Has the imposing palace added anything to the dignity or usefulness of the Court? It was built in the same spirit that the late lamented Mr. Roxy built his movie cathedrals, and with about as much judiciousness. But as an advertisement of the Court, unneeded and unsought, the edifice has been a great success, for now the Court attachés can hang out the S. R. O. sign almost daily.

When the important Securities Ex-

change Case was recently argued, 1300 people vainly attempted to get admission to a courtroom which could accommodate only 300. The long queue resembled nothing so much as a World Series baseball crowd. It is questionable whether the larger audience of curiosity seekers compensates for the quiet atmosphere of noble tradition which distinguished the old courtroom in the Capitol.

A more important question is whether, when the excitement of the New Deal legislation is a thing of the past, the Court will continue to maintain the glories of its earlier days. This may be doubted, for the increase of litigation and the changed habits of the people have brought about, even in the Court, express-train methods which are not helpful. In the golden days of the Court, there was no limitation on the time of oral argument. Its bar was a small one, and what it lacked in numbers it made up in brilliancy. Webster, Clay, Wirt, Pinkney, Binney, Choate, Sargent, Ingersoll, and many others constituted a bar of unequalled distinction. Few of these men ever submitted printed briefs, for the Court still followed the English custom of exhausting argument in oral discussion and then promptly reaching a decision. Today, however, no counsel can claim more than one hour to present his case, and, while additional time is occasionally granted, it is generally inadequate to discuss even the facts of the case, much less the important principles of law involved. There is, therefore, no time for careful reasoning or extended reference to the views of philosophers and historians, or for those occasional purple patches of dignified oratory which add grace to an argument and often serve to drive home a point with telling force. Everything must be subordinated to condense the exposition into the fewest possible words, and with the mini-

mum of ornament. For this reason, the arguments of today bear as little comparison with those of Webster, Wirt, and Pinkney as a tabloid newspaper bears to the *London Times*. I am old-fashioned enough to believe that all this is extremely regrettable.

The presses today are groaning under the weight of critical comment upon this recent resurgence of the Court. The volumes by David Lawrence and Egbert Ray Nichols are only two of many that have been written on the subject. Mr. Lawrence's book gives us the views of a trained and capable journalist. He writes for the average man, and does so exceedingly well. His generally accurate and always sane comments upon the decisions of the Court will carry more conviction to the thoughtful American than more legalistic arguments either for or against the Court. Mr. Nichols makes no pretense to originality. His book is merely a compilation, apparently for use in the higher institutions of learning, of the conflicting views on the subject of the Court's power to determine the validity of laws. The author's duties have been those of an editor, although he prefaces his compilation of arguments by an interesting foreword.

The whole problem of the tribunal remains one of well-defined choice. If we want an unlimited democracy, the first step is to abolish the Supreme Court. If, however, we believe with Burke that the tyranny of the many can be as indefensible as the tyranny of one man, then the Court will be preserved. This is certainly one of the most fateful issues of the coming election, for no one can question the present disposition of Mr. Roosevelt and his subservient Congress to impair, if not to destroy, the beneficent power of the Court as the balance wheel of governmental machinery.

The Literature of Horse Racing

BY FRANCIS STUART

HORSES, JOCKEYS, AND CROOKS, by
Arthur J. Sarl. \$3.50. Dutton.

HORSE RACING has probably inspired more books than any other sport: Mr. Sarl's is one more added to a long list. There have been books written about racing by jockeys, trainers, gamblers, the ordinary race-goer, and sporting journalists, to which last group Mr. Sarl belongs. And yet the subject has not been exhausted. In fact, the fringes of it only have been touched.

This statement, I am aware, would be controverted by a good many people who are not interested in horse racing. To them the subject is shallow and the books appear to repeat themselves. But the reason of this is not the paucity of matter for literature in the subject but rather the reverse. The adventure of the race track needs an artist to portray it. Like all activities that are largely emotional, it cannot be explained in a matter-of-fact manner. It is much more matter for fiction, matter for drama, too, with its inner conflict of hope and disappointment against an outer background of swift and colorful action.

Sherwood Anderson has got inside the horse-race mania, so to call it, in a few stories, whereas a shelf of books by "professionals" have never got beyond the monotonous chronicle of close finishes, enormous coups, anecdotes, and gossip. The regular race-goer, connected professionally with the sport either as jockey, trainer, or somehow else, should write no more books about it. They have the material but they don't know what to do with it. They make as boring a thing of it as would someone who wrote an account of all the physical incidents attendant on a love affair, sprinkled with hackneyed anecdotes about lovers.

Racing needs someone to do for it in literature what D. H. Lawrence did for sexual passion. I am not comparing the one to the other, but merely pointing out the way in which the lesser mania should be approached.

Horse-race addicts find in it a sensational adventure which they cannot experience anywhere else. Probably the only other sport to which it is comparable in emotional intensity is bullfighting. The latter is perhaps more purely emotional in its appeal, seeing that the gambling aspect is absent. It is this financial aspect of horse racing that confuses the subject and makes it difficult for the writer to treat it dramatically. If the amount of money invested on a given race adds to its dramatic value, then the whole thing becomes matter rather for an accountant than for an artist.

I admit that a large proportion of race-goers are lured to the course by the hope of making money. But to others this is not the sole reason of their love for the sport. To these, the race course is not just an open-air gambling place. With them, to bet on a horse is to identify themselves emotionally with the horse and jockey during the race. It is this power of projecting themselves into the race that distinguishes those who have come under the spell of racing from the detached professional backer; the latter only watches a race as a guide to his calculations, noting the running of horses for future reference.

As far as I know, no book has ever yet been written that deals with horse racing psychologically and from the point of view of its emotional appeal. All the books on the subject that I have read have never suggested that their authors were aware of this appeal. They have invariably been what is known as entertaining; their authors are no doubt excellent sportsmen, but with as much idea of wielding a pen as the average

writer would have of wielding a whip.

When I consider it dispassionately I find it very hard to say what is at the back of the lure of racing. Is it an escape from life, a semi-vicarious form of adventure (in a world which, for many, is devoid of adventure), a release from the predictable routine of scheduled events (in its aspect of the "glorious uncertainty")? Probably these are all causes of its fascination, but the passion it inspires will remain, I think, largely inexplicable. For it is, *au fond*, irrational. A subject for jokes (of which we have had a nauseating amount) or for literature (of which we have had practically none at all).



The Check List

POETRY

FLOWERS OF EVIL. *From the French of Charles Baudelaire.*

Translated by George Dillon and Edna St. Vincent Millay. *Harpers, \$2.75*

When the reader finishes these translations of Baudelaire's *Les Fleurs du Mal* he will scarcely understand why the original edition was seized by the French police. And no wonder. Miss Millay and Mr. Dillon have managed to lift (or lower) Baudelaire's lurid, monstrous, and magnificent poetry to the level of clean, competent verse. They have taken his confused images and "clarified" them, although the heavily loaded lines, the densely mixed images, the very "confusion" of effects are part of the French poet's peculiar richness. They have hardened his indefiniteness, his curious suggestions, his intangible evocations into precise statements. The words are scrupulously examined and brought over, fragments of the strangely hypnotic music are captured, but the characteristic and essential spirit escapes. There is much Dillon here, some fairly good Millay, but little of the perverse and tortured poet who was Baudelaire. The volume carries a self-conscious and rather self-congratulatory introduction, and an interesting epilogue of sidelights on Baudelaire's associates, both by Miss Millay.

THE HOLLOW REED.

By Mary J. Wrinn.

Harpers, \$2.95

This is an ample volume which purports to combine an appreciation of poetry, a casual anthology, and a manual of versed aid to the unpublished. Its message, as well as its style, may be gauged by such a prefatory sentence as: "It extends an invitation to those who have never written a line of poetry but would like to test the sweet yoke of the Muse; to those who enjoy writing but have never attempted verse. . . . This is a work-book even as the cross-word puzzle or the page of music or the drawing leaf is a work-sheet. It offers to show the sweetness of solitude. . . . The pleasure of the experience is a light-blown freedom." These curiously combined aims are scarcely accomplished by the ensuing chapters, in which the material is presented in a manner that verges from the happy to the haphazard, from the traditional to the arbitrary. Perhaps the chief fault is the preponderance of verse by undergraduates, fledglings, and what the author calls "apprentice poets". For example, there are fourteen examples by such a neophyte as Georgia H. Cooper, seventeen by Ruth H. Hausman, twenty-two by Joyce Lancaster, and, topping Keats, Shelley, and all the moderns put together, Muriel F. Hochdorf rolls up the neat total of thirty-two!



ANTHOLOGY OF MAGAZINE VERSE FOR 1935.

Edited by Alan F. Pater.

Poetry Digest, \$4.00

More than one-third of this book is devoted to appendices listing books of poetry published by contributors, volumes of poetry published during 1935, a list of magazines publishing poetry, a list of publishers publishing poetry, and two indices of poems and first lines. Two-thirds of the volume consists of the poetry. The typography is mediocre, the paper is unpleasant, and the price is excessive. This is a pity, for the editor shows a fairly balanced taste which permits him to choose impartially from the traditional models and the experimental modes, and a restraint which prevents him from overloading his collection as did his predecessor, W. S. Braithwaite, in his later compilations. Besides selections from the established poets, the editor presents such little-known but worthwhile-knowing poets as Margaret Marks, Fanya Foss, Stanley Burnshaw, Elizabeth Gunn Van Tine, Robert Francis, and Marjorie Frost Frazer.

 FICTION

THE ABANDONED WOOD.

By *Monique Saint-Heiler*. *Harcourt, Brace*, \$2.50

This novel, winner of the recent America-France award, gracefully and wittily portrays the history of a decadent French family. Mme. Saint-Heiler pokes sly fun at the provincial French in notably-drawn figures of village life. She has a pleasing aptitude for description. The book is first-rate reading. Its characters, though unimportant, achieve reality.



NIGHT-PIECES.

By *Thomas Burke*. *Appleton-Century*, \$2.50

To those readers who still like to have a storyteller tell a story, these eighteen tales by Thomas Burke are recommended. They are in the neat and well-tailored tradition of the British short story as practiced by Maugham and Walpole and Chesterton. Many of them recount sinister adventures laid in the Limehouse district, in the docks and taverns and dim alleyways along the London waterfront. Mr. Burke is a master of the psychology of fear, of the torments of the crime-burdened conscience. In this volume he ventures now and again into the realm of the supernatural; though there is nothing fuzzy or mystical about even his supernaturalism. "The Lonely Inn" is pretty close to a masterpiece of this kind of thing. Also worthy of note is "Uncle Ezekiel's Long Sight", a humorous anecdote with a gruesome twist of irony.

 MISCELLANEOUS

THEY FOUND GOLD.

By *A. Hyatt Verrill*. *Putnam*, \$2.50

On the theory that most people do not believe in the existence of hidden treasure, because they usually hear only of hunts that fail, Mr. Verrill here presents a series of more or less recent cases where buried riches have been found by accident, or recovered by organized search. He vouches for the authenticity of these cases, and has changed names only when he felt that the parties concerned did not wish to be known. This desire for concealment, in fact, is one of the main reasons why most successful discoverers of treasure avoid publicity and are unknown to the public. The hunts recorded here show a great

variety of adventure, romantic or dramatic interest, and human ingenuity and perseverance. Most of them took place along the East Coast of the United States, in the West Indies, and in Central and South America. Mr. Verrill holds that there is more where these treasures came from, and he obligingly adds a twenty-page appendix containing a descriptive list of "authentic unrecovered treasures in America", that is, where historical or documentary evidence points to their existence.



THE EDUCATION OF CHAUCER.

By *George A. Plimpton*. *Oxford Press*, \$2

This book is based on manuscripts in the author's library. It contains numerous facsimiles of manuscript primers, arithmetics, and other manuscripts referred to in the works of Chaucer, showing the sources of his materials. Mr. Plimpton's research reveals the poet's indebtedness to Dante, Boccaccio, and Petrarch, his broad knowledge of science such as it was in his day, his familiarity with the Scriptures, his appreciation of the ancients, and, finally, his knowledge of Europe—which was the cosmopolitan knowledge of a diplomat. Apart from whatever interest the cultivated reader may have in the facsimiles themselves, the volume is thoroughly dull.



PIGEON HOO.

By *Franklin Lushington*. *Dutton*, \$2.50

A series of essays on a wide variety of subjects, held together by amusing descriptions of life in an Elizabethan farmhouse in Kent, which the author purchased for his wife against his better judgment. He had wanted a nice medium-sized house of Georgian design, with modern stabling, tennis courts, swimming pools, and all the conveniences of the city. But Fenella, who had a long established reputation for being sensible, spotted an ad in the *Times* which resulted in the purchase of Pigeon Hoo. Mr. Lushington writes charmingly of gypsies, rock gardens, sundials, village cricket, and numerous other subjects associated with country life. At least two of the chapters—"On Approaching Old Age" and "On Being Happy"—are masterly examples of the familiar essay, which has all but passed from existence under the present-day press of economics and politics.

THE CONTRIBUTORS

DUNCAN AIKMAN (*The Ten-Billion-Dollar Lobby*) is a veteran Washington correspondent and has been a frequent contributor to THE MERCURY in the past.



JAMES M. BECK (*The Omnipotent Nine*) completed this paper shortly before his death. He was one of America's best-known authorities on Constitutional law and judicial procedure.



HENDERSON FAGEN (*Texas Comes of Age*) is a Dallas newspaperman.



FORD MADDOX FORD (*D. H. Lawrence*) is the eminent British novelist. He will continue to contribute portraits of literary notables to these pages.



SARA HENDERSON HAY (*Portrait of a Certain Lady*) lives in Anniston, Alabama, spends considerable time in New York City, and is the author of *Field of Honor* (Kalcidograph).



FRANK L. HOPKINS (*Soak-the-Poor*) is a former newspaper correspondent at Albany and Washington. At present he is engaged in commercial research work in New York City.



LEILA JONES (*Frost in Dartmoor*) was born on Long Island and now lives in Connecticut. She is the author of *Assent to Autumn* (Daye).



ROBERT E. KINTNER (*The SEC Dictatorship*) is a graduate of Swarthmore College, class of 1931, and formerly covered the New York Stock Exchange for the *Herald Tribune*. He is now attached to the Washington bureau of that newspaper.



RODERICK LULL (*Third Degree*), a resident of Portland, Oregon, has contributed fiction and articles to a number of magazines.

EUGENE LYONS (*The Webbs Revise Soviet Russia*) was stationed in the USSR for six years as a correspondent for the United Press. His impressions of the land of the Soviets appeared in *Moscow Carrousel* (Alfred A. Knopf).



HELENE MAGARET (*Amor Patriae*), a native of Omaha, Nebraska, was graduated from Barnard College in 1932. She is the author of a volume of verse, *The Trumpeting Crane* (Farrar and Rinehart).



MARJORIE MARKS (*Old Sissy Stiff-Legs*) was born in New York City in 1901 and received degrees from Barnard and Columbia. She lives in Woodmere, Long Island.



LENORE G. MARSHALL (*Though I Am False*) was formerly editor of the publishing house of Jonathan Cape and Harrison Smith. In addition to writing several volumes of verse, she is the author of a novel, *Only the Fear* (Macmillan).



ALBERT JAY NOCK (*Segregation for Utopians*), one of the foremost authorities on past and present problems of American government, is a regular contributor to these pages.



LOLA PERGAMENT (*Prelude for Awakening*), twenty-two years old and a native of Manhattan, is at present State Editor of the Federal Writers' Project in Georgia.



AGNES REPPLIER (*Here Are Ladies*) is one of America's best-known essayists and biographers.



EDWARD A. RICHARDS (*Summer Meadow*) has taught English at Amherst, Rochester, and Columbia, and is now an associate director of extension at the latter university.

GEORGE RITCHIE (*LaGuardia: the Manhattan Messiah*) is a member of the editorial staff of the New York *Sun*. For the past five years he has covered City Hall and the local political scene for that newspaper.



NICHOLAS ROOSEVELT (*Wanted: An Honest President*), author, diplomat, and editor, was formerly Vice Governor of the Philippine Islands, and United States Minister to Hungary from 1930 to 1933. He has been an editorial writer for the New York *Herald Tribune* for the past three years.

SIR JOHN SQUIRE (*Mr. Belloc's Panorama*) is the well-known English author and critic, who served as editor of the *London Mercury* from 1919 to 1934.



FRANCIS STUART (*The Literature of Horse Racing*) is the young Irish novelist and essayist. His autobiographical work, *Things to Live For* (*Macmillan*), was published during the past winter.



ANTHONY M. TURANO (*Nudism Denuded*), a frequent contributor to *THE MERCURY*, is a practicing attorney of Reno, Nevada.



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THE OPEN FORUM

(Continued from front advertising section, p. vii)

ETHIOPIA SPEAKS

SIR: In publishing Laurence Stallings' vulgar and malicious article on Ethiopia in the April MERCURY, you have acquiesced in Mr. Stallings' blackguardism by permitting him to anathematize and insult millions of Americans of African descent and other peoples of African descent. Mr. Stallings' procacity and churlishness in his description of the Ethiopians will make pleasant reading for your Southern readers, but most of your other readers will look upon his attack with disdain.

I should like to meet Mr. Stallings on a public platform for a debate on civilization in Ethiopia, in the United States, and in Italy. I am sure that I could convince our hearers that there are more syphilitic cases, more savagery, more crimes, more diseases, in proportion to population, in the United States and in Italy than in Ethiopia. To write and to publish that the Ethiopians are "niggers" and "black rascals", and that the priests of Ethiopia are "a set of thick-set villainous rogues" is not only a gross insult to these people, who are now getting a sample of the white man's civilization in the form of liquid fire, poisonous gas, airplane bombing of Red Cross hospitals, and the slaughtering of children and the aged, but it is also the creation of a sacred harlot of journalism by a foul-penned, race-prejudiced, hack writer, who went to Ethiopia to witness the thrill of the conquer of Ethiopia by Italy, but who was disappointed to find a proud race of people defending their homes against the barbaric aggression of a proven syphilitic would-be Caesar.

JOHN ACTIUS DIAZ

Founder of the International Association of the
Friends of Peace in Ethiopia.

Phoenix, Arizona



SIR: I read an account of Ethiopia by Laurence Stallings in the April issue and was shocked, to say the least, to find such cheapness in your magazine. I do not think the up-to-date American People cater to such doggery.

E. L. ROBERTS, M.D.

Austin, Texas



SIR: You are to be congratulated on the publishing of Stallings' article about those lousy Ethiopians. No other American publication has had the courage to print the truth. As usual when maudlin American sympathy is aroused, the object of that sympathy is highly suspect. Thus America cru-



THE OPEN FORUM

saded in 1918 to make the world safe for an odoriferous democracy. Later it took the incredible Prohibition business to its heart. And more recently the Ethiopes have earned gallons of sympathy for attributes they would have been the first to disdain. Likewise the sobs of pity for Tom Mooney, the Scottsboro boys, and Sacco and Vanzetti have long since convinced the intelligent observer that these brigands were all guilty as hell. The American inferiority complex loves a loser.

CAESARE MEDINI

Quincy, Massachusetts



DIFFERENCES OF OPINION

SIR: Never was H. L. Mencken in better form or in a better case than in his March article on Roosevelt. The American public has already begun to weave a laurel wreath to adorn his noble brow. May I be there when he is anointed.

CHARLES G. NORRIS

Palo Alto



SIR: Scrutiny of Mr. Henry L. Mencken's latest exhibit, "Three Years of Dr. Roosevelt" (AMERICAN MERCURY, March), educes the possibility that he may be a candidate himself for office — the office of avatar and supreme dean, in the present era, of Jonathan Swift's Æolists; for it is a tirade consisting entirely of wind. In this dubious screed Mencken preaches as windily as any of the stuffy evangelical parsons in the Bible Belt who have so often been the butt of his venom. It is rabble-rousing in the cheap style so resented by him in demagogues and politicians. It is abuse punctuated by a bass drum. The effect of all the flatulent invectives is such as to arouse a real doubt concerning the alleged political heinousness of Mr. Roosevelt and the sincerity of the author.

The candles are snuffed. The fires smolder. Genius is dead. A descending curtain signalizes the end of the show. Only a bladder lies before the footlights, symbolizing the flesh-and-blood windbag departing in the wings.

ARTHUR C. JACOBSON, M.D.

Brooklyn, N. Y.

SIR: Until I read "The New Deal Mentality", I never realized how able Mr. Mencken was to
(Continued on page xii)



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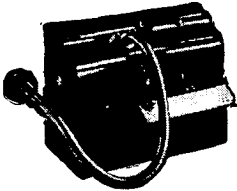
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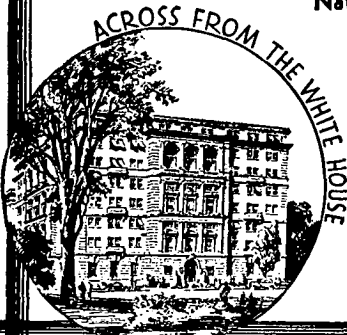
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Manager



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THE OPEN FORUM

(Continued from page xi)

make the English language express my feelings.
C. R. VAN ETEN
Brooklyn, N. Y.

SIR: Mr. Mencken evidently takes his text for May from the story likening the New Deal critics to the patient who is dying and loudly calls for the doctor. When he starts to recover he berates the medico and soundly reprimands him over the amount of the bill. It is encouraging, however, to appreciate that the patient has recovered enough strength to have the energy to squawk. The better the recovery the louder the squawk, and this is no idle phrase.

R. C. O'BRIEN
Middleville, N. J.



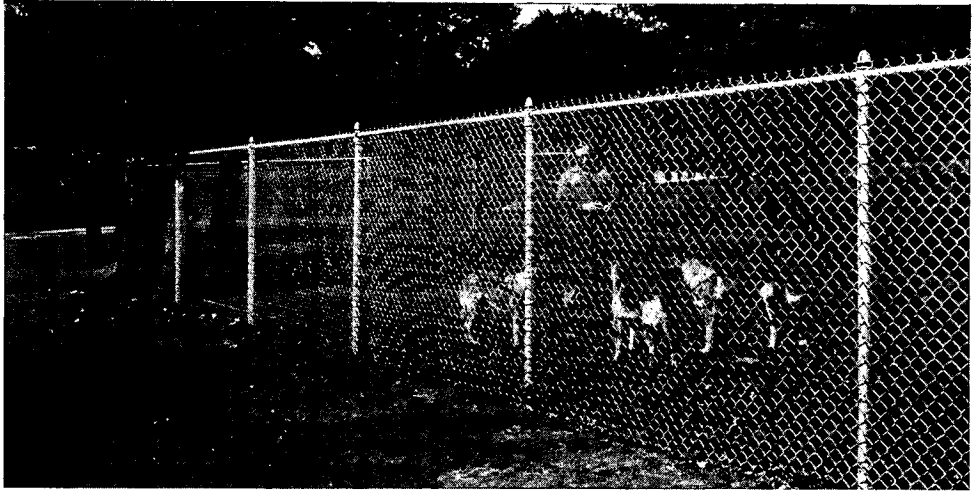
THE MODERN WAY

SIR: One of the great discoveries of the New Deal politicians is that the taxpayers of the Republic may be plundered with far greater ease and on a hugely augmented scale if a canny eye is continually turned on the profound American love for fraudulent piety. In announcing their purposes and platforms, American politicians of the past have, of course, always spoken piously, but their methods of filling the pork barrel have usually been as deftly unadorned as a pick-pocket's. This simple technique of plunder, which sufficed the Tweeds and Quays of yesterday, is much too stark for the New Dealers; and so it is outmoded, and the fat of the public purse is rendered in the name of God and His angels. Thus it no longer happens that as many constituents as possible are simply transferred to the public payroll. Today each of these transfers is effected with the pageantry of a holy crusade. It is made pontifically, in the name of social justice.

All this sanctimonious clowning is so pleasing to the American temperament that the present formidable Federal debt is more remarkable for its modesty than for its extravagance. Thirty-five billion dollars is undeniably a Gargantuan sum, but why isn't it seventy billion?

For all their bold imaginings, the New Dealers seem to have been a trifle timid. They haven't grasped all the possibilities of their discovery; they haven't realized just how far they might have gone in the name of the Lord.

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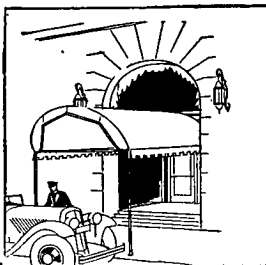
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Columbia's distinguished contributions to the literature of recorded Bach continue with the release of the second and final volume of the Brandenburg concertos. Together, the two albums constitute the most important recording in music of this *genre* since the same company's release of *The Art of the Fugue* last year. Any recording that set out to do complete justice to the Brandenburg concertos would be welcome, but the present set profits by the choice of Adolf Busch as supervising director of the enterprise, and by the fact that the first players are all of superior ability. In distinction to previous recordings, the Busch Chamber Players do their job without a conductor, a closer approximation to the practice of Bach's day than was present in those versions directed by Stokowski, Cortot, Melichar, etc.

As a special boon, Columbia offers authentic performances of the difficult F trumpet passages played by George Eksdale, a virtuoso previously unknown to these shores. On the other hand the value of this gesture is minimized by the use of a piano for the *continuo* in place of the cembalo used by Bach. This is not particularly a disturbance in the first, second, and fourth concertos in which the extent of the keyboard part is slight, but it is definitely out of place in the fifth. Here the instrument has practically a solo part, and the piano tone is more than a little anachronistic. In the ordinary recording this might be regarded as merely a characteristic stupidity; in so pretentious an undertaking, it is an unforgivable oversight, regardless of how well the score is played by Rudolf Serkin. (Columbia, thirteen 12-inch records, in two albums, \$20.50.)

Of a similar impressiveness, in a different field, is a complete version of the first act of *Die Walküre*, made in Vienna a year ago and now available here under the Victor imprint. The cast offers Lotte Lehmann (Sieglinde), Lauritz Melchior (Sigmund), and Emanuel List (Hunding), with the Vienna Philharmonic assisting under the direction of Bruno Walter. Excellent as these collaborators are, their talents are not the only virtues embodied in the records. The act is presented in its entirety, with no deletions whatsoever, and the recording, on the whole, is first rate. Walter's conducting is well above his average as a symphonic director, and the qualities of the singers are reproduced with a pleasant and unusual fidelity. In fact, Lehmann's singing is here of a freshness and euphony much superior to that presented in her recent album of *lieder*. (RCA-Victor, eight 12-inch records, \$16.50.)

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